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PREVENTING AND COMBATTING WOMEN TRAFFICKING FROM VIETNAM TO CHINA

PHAM CAO NHIEN

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the requirements for the award of Doctor of
Philosophy of the University of
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Abstract

Human trafficking is a growing global problem and is inextricably linked to migration, which is often theorised through a consideration of push and pull factors. An effective response to human trafficking needs to fully address the push factors in the country of origin and pull factors in the country of destination, including any law enforcement response. However, most academic studies only focus on human trafficking in either the country of origin or the country of destination. Therefore, there is a lack of full understanding of push and pull factors, and their interaction in a specific context between a country of origin and a country of destination.

This study helps to fill this gap in understanding by investigating the trafficking in Vietnamese women to China using the theory of both push and pull factors. Push factors are defined as those in the country of origin that impel people to leave their home, and make them vulnerable to trafficking. Pull factors are dynamics in the country of destination, which encourage people to migrate there, and make them vulnerable to trafficking. Pull factors also create opportunities for criminals to traffic people from the country of origin. The research uniquely draws not only on the lived experience gathered by semi-structured interviews with twenty-four law enforcement personnel, who are involved in investigating incidents of the trafficking of Vietnamese women to China, but also on the lived experiences of seven trafficking victims, a group who are rarely interviewed. A sample of 326 incidents of the trafficking in Vietnamese women to China, collected from online newspapers, and eight final investigation reports, are analysed by using quantitative content analysis, to cross-check interview data.

The original results of the study reveal push and pull factors for the trafficking of Vietnamese women to China, and how push and pull factors are interconnected to create the dynamics of the trafficking of Vietnamese women to China. The challenges facing investigators in the fight against trafficking in Vietnamese women to China are also revealed. Based on the theory of push and pull factors, a number of possible solutions are proposed to prevent and combat the trafficking of Vietnamese women to China. In addition, this study aims to lay a foundation for further research and discussion on push and pull factors theory in other geographical locales.

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LIST OF ABBREVIATIONS

ASI	Anti-Slavery International
ACFTA	ASEAN–China Free Trade Area
ADB	Asian Development Bank
ASEAN	Association of Southeast Asian Nations
CATW	Coalition Against Trafficking in Women
CNY	Chinese Yuan Renminbi
GAATW	Global Alliance Against Trafficking in Women
GMS	Greater Mekong Subregion
GNP	Gross National Product
HDI	Human Development Index
HIV/AIDS	Human Immunodeficiency Virus Infection and Acquired Immune Deficiency Syndrome
IMCS	Inter-Ministerial Joint Conference System
MAPP	Movement for the Abolition of Pornography and Prostitution
MPS	Ministry of Public Security
NGOs	Non-governmental Organisations
NPA	National Programme of Action
NSWP	Network of Sex Work Projects
SEZ	Special Economic Zones
UN	United Nations
UNCTOC	United Nations Convention Against Transnational Organised Crime
UNDP	United Nations Development Program
UNIAP	United Nations Inter-Agency Project on Human Trafficking
VTVPA	Victims of Trafficking and Violence Protection Act of 2000
WB	World Bank

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DECLARATION

I declare that the work contained in this thesis has not been submitted for any other award and that it is all my own work. I also confirm that this work fully acknowledge opinions, ideas and contributions from the work of others.

Any ethical clearance for the research presented in this thesis has been approved. Approval has been sought and granted by the Faculty Ethics Committee.

I declare that the Word Count of this Thesis is 80,462 words

Name:

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CHAPTER 1

RESEARCH BACKGROUND

1.1 Introduction

Human trafficking has attracted a huge amount of public attention and interest from the academic world over the past two decades, especially following the approval of the UN Trafficking Protocol in 2000 (Mancuso, 2014, Weitzer, 2014). According to Kempadoo (2011: viii) there was an “explosion of interest” on the topic of human trafficking during the first decade of the twenty-first century and “In 2010 alone, around 140 academic books and journal articles were published that explicitly dealt with the intersection of human trafficking and prostitution and many more appeared dealing with subjects such as ‘modern-day slavery’, organised crime, child prostitution, forced labour, and international labour migration”. In addition, a number of policies and programmes to combat human trafficking have been launched (Limoncelli, 2009). Yet the knowledge of human trafficking we obtain is still limited (Lee, 2007). The number of studies in the field continues to mount in terms of scope and availability despite skepticism concerning the accuracy and value of much non-empirical research (Fedina, 2014). The claims that human trafficking is a growing and widespread problem, with a huge number of victims, are unsubstantiated as it is impossible to exactly measure either the scale of profit of this illicit and clandestine economy, or the number of criminals engaged in it (Weitzer, 2014).

According to Tyldum (2010), to draw a comprehensive picture of human trafficking at regional and international levels, it is necessary to conduct narrowly defined, thematically specific studies rather than large-scale global ones, which aim only to estimate the number of trafficking victims. Sound small-scale empirical studies are those most necessary, as they can provide better insights into actors’ lived

experiences, thereby enabling a concrete evidence-base for anti-trafficking policy development (Weitzer, 2014). In addition, once a sufficient number of thematically focused and localised studies on clearly targeted populations with reliable data have been produced, findings can be globally aggregated (Tyldum, 2010).

This empirical study will explore push and pull factors of trafficking in women from Vietnam to China. It is the first study in a specific geographical context that looks at the cross-border trafficking of women in both the countries of origin and destination by setting up a framework of push and pull factors. With regard to push and pull factors, they are revealed in different groups, which are in line with the literature review of push and pull factors. In addition, the study also provides insights into the pattern of the trafficking of Vietnamese women to China, which is created by these push and pull factors. The pattern of the trafficking of Vietnamese women to China is addressed through depicting traffickers, the process of victim recruitment, the methods of crossing the border, and the final stage of exploitation in China. Furthermore, in relation to push and pull factors, the study explores how incidents of the trafficking of Vietnamese women to China are detected, and which investigation challenges law enforcement personnel face. Finally, solutions to preventing and combating trafficking of Vietnamese women to China are revealed by dealing with push and pull factors and challenges confronting law enforcement personnel. In order to investigate push and pull factors of the trafficking of Vietnamese women to China, the semi-structured data were collected from the lived experiences of twenty-four anti-trafficking law enforcement officers. In addition to this cohort, a small group of seven trafficked victims was interviewed to enrich data for addressing push and pull factors. Furthermore, the interview data were cross-checked by using quantitative content analysis to analyse 326 incidents of the trafficking in Vietnamese women to China, covered in 780 online

newspapers, and eight final investigation reports produced by local anti-trafficking investigators.

Socio-economic circumstances are forcing millions of the poorest people around the world to migrate both legally and illegally in search of better lives in richer countries, and their impoverished situations are often exacerbated by socio-political factors such as wars, natural disaster and other emergencies (Curtol et al., 2004). According to Williams (2010), to understand how and why people engage in human trafficking and trafficking-related criminal activities as victims or offenders, it is important to contextualise human trafficking within migration streams. The involvement of various social, political, cultural and legal factors makes human trafficking a complex phenomenon (Gekht, 2008). Moreover, Spencer and Broad (2012: 278) claim that “[t]here is a need to abandon approaches that criminalise the migrant but instead offer explanations that theoretically take account of migration theory as this will result in research that takes account of the varied experiences of migrants”. In order to respond to human trafficking, it is vital to understand the factors that make people vulnerable thereto, which are primarily economic, social, cultural, legal and political (United Nations Office on Drugs and Inter-Parliamentary Union, 2009). Human trafficking is seen as the systematic exploitation of vulnerabilities that are an intrinsic part of migration (Tyldum, 2013). Yet, these vulnerabilities are not created by traffickers or exploiters, but rather stem from underlying factors including poverty, inequality of economic opportunities, and lack of legal channels for migration (Tyldum, 2013). Root causes of human trafficking are addressed through identifying the social and economic phenomena that make people vulnerable to traffickers (Okogbule, 2013). The UN Trafficking Protocol mandates that “State Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors

that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity” (United Nations, 2000: 5). According to Okech et al. (2012), it is critical to address so-called push factors such as poverty and unemployment in the country of origin, which make people susceptible to being recruited by traffickers. Although it is obvious that push and pull forces are closely linked with the flow of trafficking victims between origin and destination countries, research in this area is very limited (Wooditch, 2012). It would be inadequate and ineffective to address trafficking in human beings without a comprehensive understanding of the multiple factors that create the problem (Economic Social Commission for Asia, United Nations, 2003). As human trafficking literature has already validated push and pull factors, it is worth studying human trafficking under this theory (Tavcer, 2007).

Vietnam is geographically located in the Greater Mekong Subregion which is often seen as one of the epicenters of human trafficking in the world (Kneebone and Debeljak, 2012). Vietnam is primarily known as a source country for trafficked women, while there are various destination countries in which Vietnamese women trafficking victims are ultimately exploited. According to the United Nations Inter-Agency Project on Human Trafficking (UNIAP) (2012a), although the nature and numbers of human trafficking cases in Vietnam remain difficult to determine and vary every year, the number of women trafficked into China accounts for 70% of the total number of trafficked women abroad. Dang (2004) and Vijayarasa (2010) claim that very little research has been undertaken regarding trafficking in Vietnam, and information on trafficking is limited and scattered, with unreliable statistics produced by different government agencies. Although there have hitherto been several studies on the subject of human trafficking in Vietnam (Duong, 2014a), there has been no empirical study

examining trafficking of women from Vietnam to a specific country under a framework of push and pull factors. This study is to provide insights into the trafficking of Vietnamese women to China, thereby offering ways in which the crime can be prevented and removed.

This study firstly explores what the push and pull factors are, which maintain the flow of trafficked women from Vietnam to China. By deploying the theory of push and pull factors, this empirical study provides a deep understanding about and detailed knowledge of push and pull factors of the trafficking of Vietnamese women to China. All previous studies of human trafficking often focus only on either the country of origin with push factors or the country of destination with pull factors. However, this study equally examined both push and pull factors in the country of origin and destination. Additionally, most of the arguments in the trafficking literature about push and pull factors are based on quantitative approaches. Within the specific context of the trafficking of Vietnamese women to China, this study makes contributions to the general literature of push and pull factors by giving a deeper and more detailed understanding of every factor.

Secondly, trafficking in women from Vietnam to China is a multidimensional problem regarding economic, socio-cultural and political issues in both sending and receiving countries. Yet, how these push and pull factors operate to create the pattern of trafficking in Vietnamese women to China is a question which needs to be answered. By answering this question, this study reveals the way push and pull factors interact in order to produce the dynamics of the trafficking of Vietnamese women to China. The study also expands the literature on the “second wave” developed by Kelly (2005a) and Turner and Kelly (2009).

Thirdly, counter-trafficking law enforcement is an important response to stop traffickers who take advantage of the interaction between push and pull factors in a specific context. As there is very little empirical research on investigations of human trafficking and publications on this subject is scarce, this study provides a profound and detailed understanding of trafficking detection and investigation challenges in the context of the trafficking of Vietnamese women to China. Answering this question is to address which type of approach, reactive, disruptive or proactive, the Vietnamese law enforcement personnel use to combat the trafficking of Vietnamese women to China. More importantly, these findings are put in the broader context of push and pull factors, which allow a shift from a narrow, enforcement-oriented approach to a more socially comprehensive one.

Finally, an effectively developed strategy to combat trafficking in persons should be fully inclusive of push and pull factors in a coherent fashion (Ghosh, 1998). It can be claimed that dealing with push and pull factors of human trafficking will alleviate the root causes of the problem. Therefore, the question of what should be done to prevent and combat the trafficking of Vietnamese women to China, is asked in this study. Answering this question helps to suggest practical solutions to prevent and combat the trafficking of Vietnamese women to China.

1.2. Literature review

Human trafficking, or modern-day slavery as it is called by part of academia, is an international problem which has had its own long and enduring history dating back to a time when “...the owner of the body was allowed no autonomy over his or her own existence” (Duyne and Spencer, 2011: 5). Trafficking in women holds a close connection with white slavery at the turn of the nineteenth century (Doezema, 2000). Since the beginning of the twenty-first century, human trafficking has seen as a

transnational crime by the United Nations, and is one of the three global “evils”, along with terrorism and drug trafficking (Kempadoo, 2011). The serious problem created by human trafficking is evidenced by the huge number of trafficking victims, with an estimated 600,000 to 800,000 men, women and children trafficked internationally every year (The US Department of State, 2006: 6). According to Wheaton et al. (2010: 132), “Human trafficking tears apart the structure of local economies, adds to the bureaucratic and law enforcement burden at all levels of government, and destroys people’s lives”. Human trafficking occurs in most countries both developing and developed (Wheaton et al., 2010). A country may be classed as a sending country of trafficked victims, a transit country through which trafficking victims travel, or a receiving country in which victims are ultimately exploited (Salt, 1997). While human trafficking has negative consequences for its victims, trafficking in women for sexual exploitation has primarily been seen as one of the most serious forms of trafficking among the various human trafficking forms (Meshkovska et al., 2015). Women and girls are assumed to comprise the majority of the trafficking victim population (Cho et al., 2013). Human trafficking takes a heavy and far-reaching toll on trafficking victims as they are subjected to debt bondage, involuntary servitude, forced labour, being kept in appalling living conditions and “Victims of trafficking also often face ill treatment by public authorities that may associate them with criminal activity, such as prostitution or illegal immigration” (Jones et al., 2007: 115, 116). Human trafficking seriously violates the human rights of trafficked persons (Kleemans, 2011, Lee, 2011). Trafficking victims may also face ostracism when returning home and attempting reintegration back into their community (Jones et al., 2007).

According to Bales (2005), human trafficking is seen by criminals as a high-profit, low-risk business, requiring minimal capital investment, and trafficking victims

can be exploited repeatedly. Human trafficking overtakes drug trafficking in terms of incidents as its profits far outweighs the cost that traffickers would face (Schauer and Wheaton, 2006). According to Hughes (2000: 9), “Trafficking in women has arguably the highest profit margin and lowest risk of almost any type of illegal activity”. In addition, trafficking in human beings has recently attracted the global engagement of organised crime groups (Dang, 2006b). According to Shelley (2010: 2), “Human smuggling and trafficking have been among the fastest growing forms of transnational crime because current world conditions have created increased demand and supply”. Although the estimated numbers of trafficked victims at international and national level are dubious (Weitzer, 2014), the problem of human trafficking is serious and increasing as “both demand and supply for people are rising” (Shelley, 2010: 4). Belser (2005) claims that every year about \$32 billion is generated by globally exploiting the labour of trafficking victims and this crime contributes to the corruption of law enforcement personnel, thereby undermining legal systems.

The US government and the international community have spent millions of dollars on anti-trafficking campaigns over the last decade to combat trafficking and assist victims (McDonald, 2014). Nonetheless, there has been no considerable decrease in the absolute numbers of people trafficked across the world (Chuang, 2006). In terms of legality, in 2000 the United Nations approved the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially in Women and Children (hereafter referred to as the UN Trafficking Protocol), a supplement to the United Nations Convention against Transnational Organised Crime. According to the Victims of Trafficking and Violence Protection Act of 2000 (VTVPA) “Trafficking in persons is a modern form of slavery, and it is the largest manifestation of slavery today” (US State Department, 2000: 1466).

According to Dang (2004), there was no trafficking definition agreed internationally before the approval of the United Nations' Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (the UN Trafficking Protocol). The UN Trafficking Protocol definition is considered as an international consensus in the understanding of trafficking in human beings (Hodge and Lietz, 2007, Lee, 2007). Furthermore, Breuil et al (2011: 34) claim that the UN Trafficking Protocol is deemed "the most important legal instrument" today due to its widely recognised definition of human trafficking. Article 3a) of the UN Trafficking Protocol reads:

"Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or profits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs" (United Nations, 2000: 2).

In the UN Trafficking Protocol definition, there are three key constituents: the recruitment of persons, the facilitated movement of persons either within one country's territory or across a national border, and the involvement of force, coercion or deception for the purpose of exploitation. In terms of legality, the offence includes three constituent elements: action, means and purpose, but method of recruitment does not require in trafficking of children (Gallagher, 2010). Gallagher (2010) points out that the *actus reus* of human trafficking comprises two elements: the "action" element and the "means" element, while the "purpose" element constitutes the *mens rea* of the definition in the UN Trafficking Protocol. The scope of the UN Trafficking definition is determined by the "action" element, including the undefined practical activities of recruitment, transportation, transfer, harbouring, or receipt of persons (Gallagher, 2010). Nevertheless, Gallagher points out that "[w]hereas buying or otherwise taking

possession of an individual through any of the stipulated means for purposes of exploiting would fall within the definition of trafficking, maintaining an individual in a situation of exploitation through any of the stipulated means would, according to the plain meaning of the text, also amount to trafficking” (Gallagher, 2010: 30). With regard to the second part of *actus reus*, the “means” element, Gallagher (2010) claims that most of them are clear-cut and there is a separation between direct components (threat or use of force) and less direct ones such as deception and fraud concerning the nature of promised work or service.

Concerning the *mens rea* requirement of the UN Trafficking Protocol definition, Gallagher (2010: 34) contends that: “The phrase ‘for the purpose of’ introduces a *mens rea* requirement into the definition: Trafficking will occur if the implicated individual or entity intended that the action (which, in the case of trafficking involving adult victims, must be taken through a prohibited means), would lead to one of the specified end results”. The end results of trafficking, according to the United Nations (2000), include: the exploitation of prostitution of others, or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. However, the intention to exploit trafficked persons does not require the actual result of exploitation to occur and the closer to the stage of exploitation the suspected offenders are, the easier the intent will be proven or established (Gallagher, 2010).

Reasonably, Turner and Kelly (2009) hold that it is better to understand human trafficking as a process or trafficking chain which involves recruitment and transportation, normally in countries of origin and transit, and exploitation in countries of destination although internal trafficking also takes place. Similarly, Verhoeven and van Gestel (2011) claim that, distinct from other types of crime, human trafficking is not a single, static event, but rather a process in which multiple offenders and many

crime sites may finally be involved in the exploitation of victims. According to Meshkovska et al. (2015), trafficking is not only seen as a process which includes actions such as recruitment, transportation, transferring and receiving, but also as the maintenance of an exploitative situation.

The UN Trafficking Protocol supplements the UN Convention Against Transnational Organised Crime (UNTOC) whereby its definition of trafficking in human beings is approached from a transnational organised crime perspective (Shelley, 2010). Therefore, this international treaty overlooks various other types of trafficking networks, which range widely from very tight-knit, globally large organisations, to loosely organised, regional and locally-based networks (Breuil et al., 2011). The element of exploitation, which includes not only exploitation through the prostitution of others or other forms of sexual exploitation, but also forced labour or services, slavery or practices similar to slavery and servitude, or the removal of organs, is key to human trafficking (Lee, 2007).

Nonetheless, the absence of a clear-cut legal definition of human trafficking led to implementation problems for criminal law specialists and governmental agents, who equated trafficking with illegal migration and treated its victims in accordance with national immigration laws (Gekht, 2008). According to Andrees and van der Linden (2005), while the purpose of exploitation – the criminal intention of activity - is the key element of the UN Trafficking Protocol definition, it is rather subjective and difficult to prove in a trafficking investigation. In addition, Gallagher (2001) argues that national security is the major concern leading to states' efforts in tackling human trafficking and human smuggling, although human rights issues may also provide some motivation for collective action against the global problem. Lee (2011: 151) suggests that “A

reconstituted criminological agenda needs to locate trafficking as a social problem rather than a manifestation of a transnational organised crime and law and order”.

With regard to trafficking in women, Erokhina and Buriak (2007: 9) define

“[T]rafficking in women as the following practices that are carried out for the purpose of exploitation: the recruitment, transportation, transfer, and concealment of women, or the obtaining of women by the use of the threat of force or the use of force or other forms of coercion, kidnapping, fraud, deception, or the abuse of authority or status of dependency, or by way of subordination in the form of a payment or a profit for obtaining the consent of a person who controls another person”.

It seems that this definition was more or less adopted from the UN Trafficking Protocol definition, which as mentioned includes three key elements (activities, means and purpose of exploitation), the exclusively female victim notwithstanding. However, there is a plethora of other definitions of trafficking in women that are categorized by the specific forms of exploitation such as sex (or sexual) trafficking (the exploitation by the prostitution of others or other forms of sexual exploitation), trafficking for coerced marriage, and trafficking in women for forced or bonded labour (Zhao, 2003). Nonetheless, Lee (2011) points out that trafficking for (forced) marriages, trafficking for pornography, and trafficking for forced prostitution (victims forced to give sexual service in brothels, massage parlours, strip clubs and other sex-related entertainment establishments) are forms of sex trafficking.

Hodge and Lietz (2007) argue that sexual trafficking is one of the subsets of human trafficking, and involves the prostitution of women and other forms of sexual exploitation. According to Kelly and Regan (2000:3), the key attribute that makes definitions of trafficking in women different from each other is “the extent to which they locate trafficking in women as a sub-category within a wider concept of trafficking in persons, or present it as a particular form”. The US State Department’s Trafficking in Persons Report 2004 reported that female victims accounted for 70% to 80% of the total

of internationally trafficked victims, and among the female victims 70% were trafficked for the purpose of prostitution and other forms of sexual exploitation (U.S. Department of State, 2004). According to Nandi (2010), human trafficking has risen significantly over the last several decades and taken a heavier toll on women than men, with around 68 to 87% of the total identified trafficking cases involving sex trafficking. According to Lee (2007), there are structural factors that make women susceptible to sex and labour trafficking, including the feminisation of poverty, women's subordinate status in their families as well as communities, and regimes in favour of restraining women's opportunities to change their lives in an increasingly globalised world.

There are a number of critics of the UN Trafficking Protocol in terms of its relation between human trafficking and prostitution. For example, Munro (2005: 326) argues that the UN Trafficking Protocol definition continues to confirm the "existence of a special relationship between them" as it places as a specific purpose prostitution and other forms of sexual exploitation alongside the general purpose of forced labour, practices of slavery or similar to slavery. With regard to trafficking in women for prostitution, there are different views on the nature of the relationship between human trafficking and prostitution, as Doezeema (2000:33) points out: "The modern feminist anti-trafficking campaign is split along ideological lines on their views of prostitution". The coalition of 140 NGOs across the world, led by the Coalition Against Trafficking in Women (CATW) and the Movement for the Abolition of Pornography and Prostitution (MAPP), argue that there should not be a distinction between deserving victims (who can prove they had been forced) and undeserving ones (who cannot prove they had been forced), as it offers loopholes to traffickers to escape their criminal accountability, and puts a burden on victims to prove their victim status (Raymond, 2002). The Neo-abolitionists who are members or supporters of CATW consider prostitution as violence

against women and all prostitution as an infringement of human rights (Doezema, 2000). Put another way, Sullivan (2003: 70) writes that: “All movement of prostitutes across national boundaries was defined as “trafficking” and no distinction was drawn between the voluntary migration of sex workers and the forced transportation of women for the purposes of prostitution”. While the Neo-abolitionists, led by CATW, consider prostitution equivalent to both trafficking of and violence against women, Non-abolitionists groups, in favour of the view of the Global Alliance Against Trafficking in Women (GAATW), support a broad definition of trafficking that distinguishes coerced prostitution as a form of forced labour in human trafficking from voluntary sex work as a form of labour (Saunders, 2005). In other words, GAATW and its feminist supporters subscribe to differentiating between forced and voluntary prostitution (Doezema, 2000).

Neo-abolitionist and Non-abolitionist approaches aside, there is a third position towards prostitution and trafficking in women which belongs to sex workers themselves, who support sex workers’ rights (Saunders, 2005). The third perspective, represented by the Network of Sex Work Projects (NSWP) and Anti-Slavery International (ASI), claims that the human rights of sex workers are abandoned by the trafficking debate as the majority of female migrants had already engaged in sex work (Pickup, 1998). These groups criticize all previous anti-trafficking conventions, which focused only on suppressing female migrants and sex workers rather than protecting their rights under the vulnerable working conditions of prostitution (Sullivan, 2003).

Sullivan (2003) argues that due to the impact of feminist groups on the development of the UN Trafficking Protocol, the trafficking definition incorporated a compromise and limitations in terms of addressing forms of forced labour (including forced prostitution, to which women are most vulnerable) and protecting the rights of sex workers. Munro (2005: 331,332) claims that:

“In seeking to chart a difficult path of compromise between competing perspectives on the exploitation of prostitution and on the impact on migration of both globalization and material inequality, the Protocol may ultimately have produced a duplicitous response that permits its provisions to be manipulated in line with domestic agendas of border integrity and the suppression of vice”.

There is a lack of further clarification of phrases including “the abuse of power or of a position of vulnerability”, “the giving or receiving of payments or profits to achieve the consent of a person having control over another person”, “the purposes of exploitation”, “the exploitation of the prostitution of others” and “other forms of sexual exploitation” (Sullivan, 2003: 81). As a result, after approval of the UN Trafficking Protocol, both CATW and GAATW claimed the definition as their victory (Munro, 2005). However, Kelly and Regan (2000: 1) argue that “whilst much international policy documentation attempts to draw boundaries between trafficking in women and prostitution, it may be suggested that such clear demarcations are problematic”. Meshkovska et al. (2015) suggest that this type of debate would be long-lasting and possibly without consensus, as it revolves around the complex issue of consent.

There is a body of literature pointing to the failure of the policies of many state governments to combat trafficking in women, including for sexual exploitation and forced labour. Doezema (2000) argues that while many trafficked victims have prior knowledge that they will be offered a job in the sex industry, they are lied to about the conditions under which they will work. Anti-trafficking measures and policies continue to rescue and protect innocent and naïve victims, but suppress sex workers, who are labelled as bad women. According to Skrivankova (2006), it is common for police and immigration officers to fail to identify trafficking victims and sex worker status is often given to women trafficked for sexual exploitation, while people trafficked for forced labour are considered illegal migrants. In addition, as law enforcement measures tend to be focused on trafficked women rather than the traffickers, trafficking victims are often

reluctant to come forward due to a fear of being charged for crimes accompanied with trafficking (Hodge and Lietz, 2007).

According to Cwikel and Hoban (2005), there are many existing positions and approaches concerning the discourse on trafficking such as moralist, crime and border control, labour, migration, human rights, and feminist. While there is a huge body of literature on the worldwide trafficking of women, there are a limited number of approaches to this problem, and the predominant approach to trafficking in human beings in general and in women in particular is enforcement-led, which confines our understanding to the immigration control system (Lee, 2011).

Lee (2011) approaches human trafficking from six aspects of the problem: human smuggling, new slavery (or modern-day slavery), globalisation, organised crime, migration and human rights. Of these aspects, human smuggling and new slavery are examined as phenomena that resemble or overlap human trafficking, while globalisation and organised crime are instead looked at as causes of the problem. Accordingly, whilst trafficking entails the subsequent exploitation of people, the services of smugglers are assumed to end when migrants reach their destination. Furthermore, whilst a key distinguishing criterion of human trafficking under the UN Protocols is the existence of a victim whose individual rights have been violated, smuggling is seen as a violation of the national border and political interest of the state. However, they cannot be treated as separate problems because the distinction between trafficking and smuggling is often blurred at the beginning of the trafficked person's journey, for deception, coercion, exploitation and human rights abuses may not be clear until the later stages of the same journey (Lee, 2011). According to Lee (2007: 11), "there are both overlaps and transitions from smuggling to trafficking, and that trafficking is best seen as a "continuum" which involves various degrees of force, exploitation, and positions of

vulnerability”. Lee (2011) also points out that a plethora of scholars draw attention to the connection between old forms of slavery and human trafficking today. Accordingly, in human trafficking today, there is control of a vulnerable person by force or coercion for economic exploitation, while in the traditional slavery regime, slaves were treated as a commodity for sale and forced to work in onerous conditions. This view is supported by Kelly and Regan (2000: 37), who claim:

“In the late twentieth century, we have witnessed the emergence of new forms of slavery in which individuals are more disposable, and the “rights” of ownership exercised over temporary, rather than life-long, time periods. In the case of trafficked women, whilst in conditions of sexual exploitation their movements are controlled, their earnings confiscated, and they have minimal, if any, control over their labour”.

According to Meshkovska et al. (2015) there are three key approaches to human trafficking: the national security approach, migration approach, and human rights approach. Furthermore, the increasing willingness and voluntariness of trafficking victims to migrate both legally and illegally draws support for considering human trafficking as a form of migration (Vijayarasa, 2010). Globalisation is deemed as one of the structural factors that leads to human trafficking. Organised crime is fuelled by globalisation and a number of organised criminal groups traffic people (Turner and Kelly, 2009). According to Kelly and Regan (2000) and Hodge and Lietz (2007), the lucrative business of trafficking in women for prostitution, with its low-risk of arrest and low investment, drives the involvement of organised crime. Breuil et al. (2011) argue that the UN Trafficking Protocol does not include small-scale, flexible and local-based trafficking networks as it concentrates on transnational organised crime.

As previously mentioned, there are few studies on human trafficking in Vietnam, despite the fact that Vietnam is among the countries most badly affected by this problem. This deficiency notwithstanding, the Vietnamese law enforcement agencies have reported on the number of trafficking incidents, and estimated the scale of

trafficking in women and children from Vietnam to other countries. The next section depicts the general context of trafficking in women from Vietnam to other countries.

1.3 Context of trafficking in women from Vietnam

It is widely recognised that Vietnam is a country of origin for trafficking in women and young girls (Dang, 2004, Le, 2000, UNIAP, 2012a). According to Le (2000), trafficking in women from Vietnam is considered a type of social evil that started to surge in the 1990s. In addition, Hoang (2008) claims that trafficking in women and children from Vietnam has spread significantly in terms of its scale and characteristics. Accordingly, it used to be a local problem, restricted to some provinces, but it now occurs across the country and there is a trend towards cross-border and organised trafficking (Hoang, 2008).

As reported by the Vietnamese police in 2002, from 1991 to 2001, 2,269 incidents of human trafficking were discovered, and 3,787 traffickers were arrested (Dang, 2004). According to Xiaosong and Womack (2000: 1057), some 10,000 Vietnamese women illegally migrated to China in the 1990s, which included “the customary pattern of cross-border local marriages as well as a large-scale trafficking based on the relative shortage of women in China”. In its report on the 5-year implementation of the National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010, the Vietnamese government admitted a failure to achieve some preset targets, including halving the numbers of trafficking incidents (SB, 2009). Between 2000 and 2004 in Vietnam, 1,090 incidents of human trafficking were uncovered, with 2,117 offenders arrested, and 2,935 victims identified (SB, 2009). During the following period, 2004 to 2009, these figures in fact increased, with 1,586 incidents of human trafficking were uncovered, with 2,888 traffickers arrested and 4,008 victims identified (SB, 2009).

However, according to Do and Dang (2012), the real figures of human trafficking in Vietnam are much higher, and it is estimated that only 10 to 15% of human trafficking offenses are discovered. In addition to this estimate, there were 22,000 women and children identified by local authorities across the country as long-time missing, presumed trafficked (SB, 2009). Dang (2004) and Le (2000) suggest that trafficking in Vietnam remains a hidden problem, as there is a considerable lack of information or available data, at both local and national levels. It is recognized that trafficking in women and children across borders is rapidly increasing, especially for prostitution and other forms of sexual exploitation (Dang, 2004).

According to statistics from the Vietnamese police force, the crime of trafficking in Vietnamese women to China is often committed by trafficking networks, which account for more than 60% of the total cases (SB, 2009). According to the United Nations Inter-Agency Project on Human Trafficking (UNIAP) (2012a), although the nature and numbers of human trafficking cases in Vietnam remain difficult to determine and vary every year, the number of women trafficked into China accounts for 70% of the total number of trafficked women abroad. While cross-border trafficking between Vietnam and China is becoming increasingly complex and diverse, to date most detected trafficking is of trafficking in women and children for the purposes of prostitution, forced marriage and forced labour (UNIAP, 2011). Trafficking of Vietnamese women and young girls abroad for the purpose of prostitution was recognised by the Vietnamese government in 1997 as a serious problem (Vietnamese Prime Minister, 1997). Marriage trafficking in Vietnamese women to China was recorded as early as the 1990s in Northern Vietnam (UNIAP, 2011). Yet, labour trafficking was first reported under the National Plan of Action against trafficking in women and children in 2009 (SB, 2009). Notably, the Border Guard Command reported

that they had received 7,918 trafficked women returning from China during the years between 1996 and 2000 (Dang, 2004). Vietnam and China share a land border 1,463 km in length, including seven frontier provinces on the Vietnamese side and two on the Chinese side (Yunnan and Guangxi). Vietnamese women are sold from Northern provinces into Chinese provinces, particularly Yunnan and Guangxi for marriage and increasingly prostitution (Dang, 2004, Vu, 2006, Wang, 2005). While there are several identified cases in which the Vietnamese brides are reported to be treated well, the vast majority of them are forced to live slavery-like lives where they have to work on a farm for long hours under constant surveillance, and are sexually assaulted or harassed by their husband or the husband's family members (UNIAP, 2011). A number of women and children have been transported and sold directly to brothels and sex establishments located on the Chinese side of the border (Dang, 2006b). Vu (2006) and Dang (2006b) estimate that thousands of girls and women crossed over into China; some were deceived about the real nature of their migration, others moved voluntarily and thereafter stayed illegally in China. According to Vu (2006), China is the major receiving country of female Vietnamese trafficking victims, who are frequently poor, single women and have little knowledge about working conditions there. Vietnamese trafficked victims in China are often rounded up and sent back by the police, while some are forced to work as sex workers in sex establishments run by Vietnamese in China's borderland (Dang, 2004). Vietnamese trafficked women are often considered illegal migrants, so victims often feel reluctant to come forward to authorities (Vu, 2006).

There is an increasing number of women and girls involved in labour migration from Vietnam to other countries, with a corresponding rise in the exploitation of Vietnamese female migrants in receiving countries, which may equate to trafficking

(Hoang, 2015). In China there is a great demand for low-paid labour from neighbouring countries including Vietnam, while there are many villagers in Vietnam who reside near the border with China, living with a low and unstable income, who desire to go there to seek employment to improve their earnings (UNIAP, 2011). Due to the industrialisation and urbanisation of Vietnam, along with the lack of job opportunities in rural areas, many Vietnamese women are pushed to migrate to urban areas, even to China, and end up being sold to Chinese men as their wives by both Vietnamese and Chinese brokers (UNIAP, 2011).

In another empirical study which focuses on gender, demography and the connection between migration and trafficking, Le et al. (2007) examine the factors that lead to the migration of Vietnamese women to China in the province of Quang Ninh (north-eastern Sino-Vietnamese border). They argue that it is necessary to examine voluntary and forced migration as interconnected elements. Furthermore, the study's objective is to examine Vietnamese women's motivations to go to China. The findings show that finding a husband and experiencing motherhood are one of the reasons for migration of Vietnamese women to China (Le et al., 2007). There is a significant shift in the pattern of the trafficking of Vietnamese women to China, which reveals that trafficking now occurs not only in border provinces, but across many provinces of Vietnam which lie far inland (Duong, 2014b). Moreover, in this study, the definition of the UN Trafficking Protocol, rather than that in domestic law, was utilised to differentiate between migration and trafficking (Le et al., 2007) which they sought to examine as a continuum. This research focuses only on highlighting Vietnamese women's agency in the process of migrating to China, and concluded that only a few women portray themselves as victims from the start to the end of their journey (Le et al., 2007).

1.4 Policy and law enforcement responses to trafficking of women in Vietnam

Kelly and Regan (2000) suggest that the approach adopted to trafficking in women (as a moral, criminal, migration, human rights, public order, labour, or gendered issue) will decide the strategy used to address trafficking, and the balance between repressive and empowering measures. Dang (2004:173) points out that the problem of trafficking in women needs to be tackled in a comprehensive manner and by a thorough approach, considered in all its dimensions: “The issue must neither be treated as a personal problem for individual women nor be dealt with at the national level alone, but as an international political problem which requires strong political will at national, regional and international levels”. In support of Dang’s (2004) view, Vu (2006) argues that due to its being a multiple-aspect problem, trafficking in Vietnam needs to be approached thoroughly and comprehensively with three main combined aspects of prevention, prosecution of traffickers and protection of victims. According to Dang (2006b), human trafficking is one of the emerging forms of forced migration in Vietnam that the government has attempted to control and combat. Yet, Dang (2004:163) claims that: “In Vietnam, cross-border trafficking and unauthorized migration began to take place before formal migration policies were established and it continues in the presence of migration policies that do not adequately reflect the interplay between demand for migrant services and emigration pressure”. In addition, Hoang (2015: 1) points out that Vietnam’s perception of human trafficking is attached to “national pride and identity”; trafficking victims are depicted as passive individuals lacking agency and autonomy. According to Vijayarasa (2013), while female trafficking victims are forced to provide both sexual services and labour, law enforcement officers often have a fallacy in viewing trafficking of Vietnamese women as being for one purpose alone - sexual exploitation. Therefore, transnational migration and trafficking involving the sex

industry need to be understood in the broader socio-economic contexts of the region (Dang, 2004).

Finding the gaps between those understandings through the view of law enforcement officers, who are on the frontline of the fight against trafficking, would be beneficial to policy makers in Vietnam. As trafficking is a socially complicated issue, a legal examination of this issue is inadequate. Therefore, all possible factors that might directly or indirectly impact on the problem should be studied consistently and entirely in every specific context.

By selecting China as a key destination, this research can focus on observing a comprehensive picture of the push and pull factors which maintain the flow of trafficked women from Vietnam to China. There is a variety of push and pull factors that drive Vietnamese women and girls into being trafficked. This primary research will examine push and pull factors of trafficking of women from Vietnam to China in the contemporary socio-economic context of both countries. To achieve this, a multi-disciplinary approach including the cultural, economic, sociological and legal field will be deployed. It is possible to argue that in the context of the connection between push and pull factors, the trafficking cycle (so-called “second wave”¹) has been established, in which new exploiters and recruiters are consistently created to fulfill the demand for trafficked women in China. According to Turner and Kelly (2009: 184)

“Trafficking in persons, as the term suggests, involves movement – the movement of persons from one place to another by a variety of means and for a variety of exploitative purposes. Movement, however, is also associated with migration, and the accelerated migratory flows of recent decades and changes in patterns of contemporary migration, fuelled by the forces of globalisation, have revitalised interest in diasporas”.

¹ According to Kelly (2005: 46), “The so-called “second wave” refers to women who were trafficked and who have been offered, or somehow taken, the option of recruitment rather than continued sexual exploitation”

A large number of previous trafficking studies have concentrated on a limited number of pertinent issues, such as estimating the numbers of victims being trafficked, evaluating the policy and legislative problems in destination countries, and exploring the continuum of migration, smuggling and trafficking. But there are few studies focusing on exploring challenges facing frontline anti-trafficking law enforcement officers (Farrell et al., 2008). Since trafficking in women and girls is a greatly hidden crime, especially transnational trafficking, to detect and investigate cases of trafficking of Vietnamese women to China effectively, it is crucial to understand patterns of this crime, the mechanism that drives it, and the challenges confronting counter-trafficking law enforcement officers. More importantly, these findings are put in the broader context of push and pull factors, which allow a shift from a narrow, enforcement-oriented approach to a more socially comprehensive one. The next section sets out research questions that need to be answered throughout this study in order to achieve the intended outcomes.

1.5 Research questions

The main objective of this study is to gain insights into the trafficking of Vietnamese women to China, thereby suggesting ways in which the crime can be combatted and prevented. As aforementioned, an effective response to human trafficking needs to address the factors in the country of origin that push potential victims to leave their home, and the factors in the country of destination that pull them to migrate there. It can be claimed that dealing with push and pull factors of human trafficking will alleviate the root causes of the problem. For example, it is a commonly held view that unemployment is a factor inducing trafficking victims to migrate (Masika and Williams, 2002); therefore the creation of jobs in the place of origin could be a solution to stop people from migrating and eliminate the conditions of which traffickers often take

advantage to traffic victims. Yet, there has hitherto been no empirical research into push and pull factors of trafficking in Vietnamese women to China. Consequently, this study will first explore push and pull factors of trafficking in women from Vietnam to China. Its results will offer measures to prevent and combat this problem.

Addressing the push and pull factors in responses to human trafficking is a long-term strategy to eliminate human trafficking, while the improvement of law enforcement responses to this heinous crime is a short-term measure, which is essential to stop traffickers who take advantage of the interaction between push and pull factors in a specific context. Yet, anti-trafficking legislation worldwide is diverse and there is a controversy over the trafficking definition of the UN Trafficking Protocol. In addition, human trafficking is a very hidden crime, as victims are often reluctant to come forward and seek assistance. In the context of Vietnam, the number of Vietnamese women presumed to have been trafficked increased, while the government admitted it failed to reduce the number of cases of trafficking in Vietnamese women, mainly to other countries (SB, 2009). Therefore, it is worth investigating the challenges that Vietnamese law enforcement officers are faced with. To achieve the main objective, the key research questions to answer are:

1. What are the push and pull factors for the trafficking of Vietnamese women to China?
2. What is the pattern of the trafficking of Vietnamese women to China created by push and pull factors?
3. How do law enforcement personnel detect trafficking incidents?
4. What challenges do investigators face in dealing with the trafficking of Vietnamese women to China?

5. What should be done to prevent and combat the trafficking of Vietnamese women to China?

These key research questions will be answered throughout the finding chapters. The next section provides the summary of the rest of this study.

1.6 What is coming next

Chapter 2, *Theory of push and pull factors and the context of trafficking of Vietnamese women to China*, presents a conceptualisation of the theory of push and pull factors, and the context of push and pull factors of trafficking in Vietnamese women to China. The push factors are grouped into three categories: economic, social and cultural, and conflict, political and natural disaster. Likewise, the pull factors are categorized into three groups: economic opportunities, better living conditions, and demands of the sex industry. Additionally, the key discussion on the operation of push and pull factors is outlined. With regard to this latter consideration, Chapter 2 depicts the Vietnamese context in which push factors exist, and the Chinese context wherein pull factors emerge. Accordingly, the economic situation and political, social and cultural circumstances in Vietnam, which relate to push factors, are reviewed. In the Chinese context, the demographic situation, labour market transition, resurgence of the sex industry, the cultural discrimination against women and “bride price” issues are outlined. Finally, the geographic, political, migratory, cultural and commercial relationship across the Sino-Vietnamese border is reviewed.

Chapter 3, *Policy and legal frameworks to tackle the trafficking of Vietnamese women to China*, provides the key policies and legal provisions that both Vietnam and China have put in place to prevent and combat trafficking of women. Firstly, Vietnam’s anti-trafficking policy and legal framework is adumbrated. The focus is upon Vietnam’s

National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010, the Anti-trafficking Act 2011, the National Programme of Action on the Prevention and Suppression of Human Trafficking during the period 2011-2015, and the trafficking definition set out in Penal Code 1999, and the Amendment Penal Code 2009. Furthermore, the discussion concerning the ambiguity of this definition is outlined. Next, the Chinese anti-trafficking policy and legal framework is outlined. This is followed by the review of anti-trafficking cooperation between Vietnam and China. Finally, this chapter reviews trafficking investigations conducted in Vietnam.

Chapter 4, *Methodology*, presents all the methodological issues of this study. Firstly, the methodological approach to the study is justified. This study needs to gather data from different sources, both primary and secondary, to answer key research questions. Primary data is collected from semi-structured interviews with two cohorts of interviewees (law enforcement personnel and trafficking victims), while secondary data is gathered from online newspaper articles on trafficking. Next, the process of qualitative data collection, decisions upon this process, and ethical issues are described, discussed and justified: qualitative approach, sampling, interview process and data analysis. Qualitative data collection is followed by an account of the quantitative content analysis of 326 trafficking incidents reported in online newspaper articles. The validity and credibility of data analysis are discussed in this chapter. Finally, there is a discussion of the limitations of this research.

Chapter 5, *Push and pull factors of trafficking in Vietnamese women to China*, explores push and pull factors, as well as the pattern of the trafficking of Vietnamese women to China. With regard to push and pull factors, they are revealed in different groups, which are in line with the previously reviewed conceptualisation. This chapter

also reveals pattern of the trafficking of Vietnamese women to China such as traffickers, the process of victim recruitment, methods of crossing the border, and the final stage of exploitation in China. Finally, the discussion on the findings of the chapter is provided.

Chapter 6, *Trafficking detection and challenges to the investigations of the trafficking of Vietnamese women to China*, explores how incidents of the trafficking of Vietnamese women to China are detected, and which investigation challenges face law enforcement personnel. With regard to these challenges, this chapter reveals a number of difficulties: identifying and rescuing victims from China, the lack of trained personnel and funding, and building evidence for a trafficking case. Finally, the chapter discusses the revealed findings.

Chapter 7, *Solutions to preventing and combating trafficking of Vietnamese women to China*, presents two groups of possible solutions to curb the problem. The first group of the solutions concern addressing and handling push and pull factors. The second group of the solutions relate to improving the legal frameworks and joint trafficking investigations between Vietnam and China. The chapter also provides the discussion on the suggested solutions to preventing and combating trafficking of Vietnamese women to China.

Finally, chapter 8, *Summary and recommendation*, summarises the entire thesis. It also highlights the original contribution of the thesis to knowledge and understanding. Additionally, a recommendation for further research is provided.

The next chapter explores the theory of push and pull factors, and the context of push and pull factors of the trafficking in Vietnamese women to China.

CHAPTER 2

THEORY OF PUSH AND PULL FACTORS AND THE CONTEXT OF THE TRAFFICKING OF VIETNAMESE WOMEN TO CHINA

2.1 Introduction

This chapter conceptualises push and pull factors within which the phenomenon of trafficking in humans occurs. It begins with the acknowledgement that other social theories such as transnationalism, mobilities and feminism can potentially provide theoretical approaches to investigate the trafficking of Vietnamese women to China. To conceptualise push and pull factors, this chapter places human trafficking in the broader context of the migration phenomenon, which can be explained by the theory of push and pull factors. Next, push factors are conceptualised as factors existing in the country of origin, which create internal migratory pressure on people to migrate and make them vulnerable to trafficking. Push factors of human trafficking are then reviewed across human trafficking literature. In contrast to push factors, pull factors are conceptualised as factors that exist in the countries of destination, either drawing people to migrate and making them vulnerable to being trafficked, or providing criminals with opportunities to traffic people from the country of origin.

Based on the conceptualisation of push and pull factors, the geographically specific contexts of push factors in Vietnam and pull factors in China are reviewed. On Vietnam's side, the context of push factors includes the economic situation, and political, cultural and social circumstances. On China's side, the context of pull factors comprises demographic characteristics, the labour market, the resurgence of the sex industry and the cultural discrimination against women and the so-called "bride price"².

² According to Jiang and Sanchez-Barricarte (2012: 2), "A bride price is the amount of money or goods paid by the groom or his family to the parents of a woman upon the marriage of their daughter to

According to Duong (2014a), push and pull factors may not be the same in different countries of origin and destination, because the differing socio-cultural, economic and political contexts of countries would differently reflect push and pull factors. Therefore, in the final section, the cross-border connections between Vietnam and China are reviewed.

2.2 Transnationalism, mobilities, feminism and the theory of push and pull factors

This study has used the theory of push and pull factors in order to answer empirical question of why about 70% of detected trafficking incidents involve the trafficking of Vietnamese women to China. The theory is a highly useful approach to this situation as there are factors in Vietnam that propel Vietnamese women to migrate, in addition to factors in China that attract Vietnamese women or create opportunities for criminals to traffic them. Yet, the theory of pull and push factors does not dismiss other theoretical approaches to the trafficking of women, such as transnationalism, mobilities and feminism which offer valuable dimensional perspectives to our understanding of the issue. Instead, these valuable approaches are partly integrated into the theory of push and pull factors to examine the transnational trafficking of women. The integration of these other approaches helps validate and develop the theory of push and pull factors.

The literature of transnationalism highlights the fact that the social world, where many people live in, spans or co-exist in areas and communities in at least two nation-states (Vertovec, 2001). Transnationalism is also perceived to be a restructuring of a place or locality where international borders are crossed (Cohen and Vertovec, 1999). In addition, transnationalism characterises “a condition in which, despite great distances and notwithstanding the presence of international borders (and all the laws, regulations

the groom”. Paying for brides is a practice that stemmed from the patrilineal family system. In China, bride prices have continuously increased since 1980s because of the difficulty of finding a wife.

and national narratives they represent), certain kinds of relationships have been globally intensified and now take place paradoxically in a planet-spanning yet common – however virtual – arena of activity” (Vertovec, 1999: 447). According to Wang (2010), there is a plethora of literature on migration from transnationalism perspective. “In the current modern world, low communication costs make it easy to cross borders, live in another place, yet not uproot from our previous social relations in the place of origin” (Wang, 2010: 70). Social scientists are seeking to apply a new approach to the connections between “here” and “there” and in the migratory and globalised world they affirm the “emergence of transnational communities” (Waldinger and Fitzgerald, 2004: 1177).

Trafficking is a transnational and complicated problem (Hodge, 2008). Human trafficking relates to the cross-border movement of the victims, which is facilitated by connections between the countries of origin and destination. For example, Turner and Kelly (2009) claim that human trafficking, which is deeply rooted in different socio-cultural and historical contexts, is fuelled by a demand for cheap labour and services in an age of transnationalism and globalisation. Transnationalism can provide a valuable theoretical approach to understand the establishment and operation of trafficking networks within the diaspora (Turner and Kelly, 2009). While the transnationalism perspective is not specifically deployed in this study, elements of the approach are used to understand the trafficking of Vietnamese women to China.

As for the mobilities perspective, mobilities are defined as “the way in which an individual appropriates what is possible in the domain of mobility and puts this potential to use for his or her activities” (Kaufmann, 2002: 37). Economic and political structures shape the practice of mobilities (Penna and Kirby, 2013). There is an inherent link between migration and mobilities. Rather than only in terms of mobilities, migration is

conceptualised as a social process in which is organised and channelled (Xiang and Lindquist, 2014). In addition, “Migration cannot be described without attention to the necessary spatial, infrastructural moorings that configure and enable mobilities” (Hannam et al., 2006: 3). According to Molland (2013), human trafficking is seen as a form of transnational mobilities. Therefore, the theories of mobilities potentially offer fruitful approaches to investigate cross-border human trafficking. Gill et al. (2011: 301) claim that “[t]heories of mobilities can enrich forced migration studies as well as some of the insights into mobilities that forced migration research offers”. The theories of mobilities can be deployed to understand the establishment and operation of transnational trafficking networks and the response of law enforcement to this problem. For example, Penna and Kirby (2013) examined the disparity between the mobilities of organised crime and the mobilities of law enforcement to deal with the problem, by using three categories of mobilities: access, skills and appropriation. Regarding mobilities of people, “[t]he powers of ‘humans’ are co-constituted by various material agencies, of clothing, tools, objects, paths, buildings, machines, paper, and so on” (Büscher and Urry, 2009: 100). Whilst criminal organisations are able to take advantage of benefits of mobilities (exploiting virtual mobilities by using infrastructures of technology and communication), law enforcement agencies often experience organisational constraints (Penna and Kirby, 2013). The counter-criminal agencies need to have two key aspects of mobilities: mobilities to cross the border to gather evidence and make arrest suspect, and mobilities to obtain the intelligence of crimes and suspects (Penna and Kirby, 2013). In this study, as the challenges of counter-trafficking law enforcement personnel are examined, the mobilities perspective could potentially be deployed to put insight into these challenges and to propose solutions to dismantle cross-border trafficking networks.

Finally, feminism has been providing a valuable theoretical approach to understand human trafficking. According to Miriam (2005), the central issue of the feminist debate relates to agency and power of women. Whilst traditional security approach to human trafficking focuses on border control, national security and law enforcement, feminist analyses of human trafficking concentrate on the security of the trafficking victims and point to the ways trafficked persons are threatened by both traffickers and the nation-state (Lobasz, 2009). The feminist rights-based approach to human trafficking allows remedies to achieve the both protection and empowerment of women (Pourmokhtari, 2015). This approach focuses “on the violation of the human rights of trafficked persons and ways and means of empowering them economically and socially so that they are capable of defending their intrinsic rights” (Pourmokhtari, 2015: 160). The theory of push and pull factors, which is deployed in this study, actually integrates feminism perspective regarding gendered discrimination, empowerment of women to understand and propose solutions do combat trafficking of Vietnamese women to China. In the next section, the literature of the theory of push and pull factors are reviewed.

2.3 Theory of push and pull factors

Asis (2008) argues that in the country of origin legal or illegal migration-induced determinants can apply to human trafficking. Cross-border human trafficking is considered an involuntary form of migration (Jac-Kucharski, 2012). According to Dinan (2008), the trafficking victims are impelled to leave their home by factors that encourage migration, such as economic instability, a lack of economic opportunities and other push factors at home, and the attractiveness of a well-paid job abroad.

“Push-pull models identify economic, environmental, and demographic factors which are assumed to push people out of places of origin and pull them into destination places. “Push factors” usually include population growth and

population density, lack of economic opportunities and political repression, while “pull factors” usually include demand for labour, availability of land, economic opportunities and political freedom” (Castles et al., 2014: 28)

Similarly, Schloenhardt (2001) claims that migration is attributed to push and pull factors including those of a political, demographic, socioeconomic and environmental nature. People leave their countries of origin for the same reasons (push factors), irrespective of whether or not they use legal or illegal channels to do so (Aronowitz, 2009). Although migration includes internal and international movements, migration often takes place from poorer or less stable places to those wealthier and more stable (Aronowitz, 2009). Bales (2005: 155) argues that push factors “move people to place themselves in situations in which they might be trafficked”. The following sections reviews push factors in groups of factors: economic, social and cultural, conflict, political, and natural disaster.

2.3.1 Push factors

2.3.1.1 Economic factors

Push factors create increasing labour movement either within countries or across international frontiers, producing an available and steady supply of vulnerable people to traffickers (Wheaton et al., 2010). Economic factors comprise dire poverty, lack of job opportunities, and lack of social benefits (Lasocik, 2010). Aronowitz (2009) contends that a push factor can be the combination of inadequate employment opportunities with poor living conditions. Although there are a complex number of factors that impact on women’s decisions to move to a foreign country, in the country of origin, poverty and economic deprivation are powerful push factors that impacts on a person’s desire to migrate (Bales, 2005, Van Liemt, 2004). With the same viewpoint, Masika and Williams (2002) claim that poverty and the strong desire for a better life are the main

push factors. Cullen-DuPont (2009) holds that poverty would be the most imperative cause of human trafficking within or beyond a country. Focusing on female migration, Schwartz (2004: 411) argues that “Poverty is still one of the strongest factors pushing girls and women into the sex industry and making them and their families vulnerable to traffickers promising a better life”.

Poverty and deprivation create the desire to migrate for economic betterment of both victims and their families (Hughes, 2007). Poverty, underdevelopment and lack of equal economic opportunities are directly addressed in the UN Trafficking Protocol as being amongst the root causes of human trafficking (United Nations Office on Drugs and Inter-Parliamentary Union, 2009: 66). Trafficking and migratory movements alike often occur through people moving from poorer to more prosperous countries and regions (Lee, 2011). Kelly and Regan (2000) suggest that traffickers target women whose lives are badly affected by economic, political and social disruptions.

2.3.1.2 Social and cultural factors

Apart from economic factors, social factors, such as inequality and all forms of discrimination and prejudice, are push factors for human trafficking (Economic Social Commission for Asia, United Nations, 2003). Widespread discrimination, based on social class, caste, ethnicity or gender, makes families and communities vulnerable to trafficking (Rajbhandari, 2008). This is in part because many forms of discrimination often exclude certain persons from the employment sector and force them to migrate (Aronowitz, 2009). A desire to run away from devaluing familial or tribal customs often motivates female migrants (Caraway, 2008). Gender discrimination against women (such as abandonment and divorce by husbands) and early marriage customs may push women to migrate to seek independent lives either within or across borders (Ali, 2005). Socio-cultural norms that influence the ways in which women are treated in many

communities make gender-based discrimination a push factor which creates a vulnerability in women to trafficking (United Nations Office on Drugs and Inter-Parliamentary Union, 2009). According to Lee (2011), women in many parts of the world, particularly in post-communist countries, suffer the so-called feminisation of poverty and feminisation of survival, whereby they are marginalised and made vulnerable to some of the worst forms of abuse and exploitation. Jeffreys (2009) argues that push factors make women and children particularly vulnerable to trafficking. Specifically, it is argued that push factors are “the situations or circumstances that make women and children vulnerable targets of human traffickers” (Asiwaju, 2007: 181). Factors making persons, especially women and children, vulnerable to trafficking are socio-cultural development processes that “marginalise women, in particular from employment and education, gendered cultural practices, gender discrimination, and gender-based violence in families and communities” (Lee, 2005: 178).

Masika and Williams (2002) claim that in unequal societies, the strong sense of filial piety of girls, women’s limited access to formal labour, high unemployment and violence make them seek better opportunities abroad, even tempting them to prostitution. According to Cullen-DuPont (2009: 18), “Approximately 98 per cent of persons trafficked into sexual exploitation are female and 2 per cent are male, while approximately 56 per cent of persons trafficked into nonsexual economic exploitation are female and 44 per cent are male”. In societies where there are no laws upholding gender equality, and/or there is a lack of women’s rights to assets or land, trafficking is widespread, while in other places, women who suffer other forms of gender discrimination are also vulnerable to being trafficked (Shelley, 2010). Examining trafficking in women in post-socialist countries in Eastern Europe, Kligman and Limoncelli (2005) point out that the gendered labour market which preferred male over

female workers pushed women towards low-paid and low-skilled jobs and to small-scale service sectors. Against this backdrop, the poverty and unemployment rate of women, which is disproportionate, makes them dream of better working and living conditions overseas, a circumstance which may be taken advantage of by traffickers. As women often have limited personal resources, they are particularly vulnerable to being trafficked under the spurious promise of a good job or a better life (Cullen-DuPont, 2009).

Poor education and lack of information for girls and women in many communities can make them readily fall prey to the deceit of traffickers (Masika and Williams, 2002). In addition to a lack of basic education, a lack of public services and poor health services are also push factors (Aronowitz, 2009). Dissolution of the family, possibly induced by sickness, HIV/AIDS, or the death of one or both parents, may compel the remaining family member(s) to migrate or send children away to work and help support the family (Aronowitz, 2009).

2.3.1.3 Conflict, political and natural disaster factors

People who are destabilised or displaced by political instability, militarism, civil unrest, internal armed conflict, and natural disasters, are vulnerable to trafficking (Bales, 2005). Conflict factors include the influence of wars and armed conflicts while political factors include the impact of suppression by dictatorial regimes or discrimination against minorities (Lasocik, 2010). Wars, conflicts, political instability, environmental and natural disasters cause disruption of traditional community life, mass displacement and disorder in origin countries (Ali, 2005, Bales, 2005, Hughes, 2007, Masika and Williams, 2002). Additionally, armed conflicts destroy the national economy and damage citizens' lives (McCabe and Manian, 2010). While political and economic insecurity may be caused by mismanagement, nepotism or political corruption,

structural adjustment policies may lead to a rising cost of living and higher unemployment (Aronowitz, 2009). Such events, particularly in transitional societies, strongly pressure conflict-stricken people to migrate to secure a sustainable livelihood (Ali, 2005). Mass population movement, refugee populations, and the disruption of traditional community life and its protective regime make people extremely vulnerable to trafficking (Jahic, 2009). The risks that people take when attempting to escape their difficult situations provide great opportunities to, and help create favourable circumstances for, traffickers to recruit their victims, especially women and children (Hodge, 2008, Hughes, 2007). The economic deprivation caused by the increasing number of disasters occurring across the world is often exploited by human traffickers (Shelley, 2010).

In short, the literature review shows an open and varied list of push factors ranging from those of the economic, societal, cultural, demographic sort to conflicts and natural disasters. It is arguable that push factors are variously constructed in the different countries that act as the country of origin. They vary from one country to another, and resultantly there is not a fixed list of push factors for every country of origin. However, human trafficking would not take place if there were no pull factors existing in the destination country. Pull factors of human trafficking are conceptualised and reviewed in the following section.

2.3.2 Pull factors

Pull factors are perceived by migrants as opportunities to change their life, and by traffickers as a chance to make money by trafficking human beings from the country of origin. The migrants' awareness of opportunities abroad is often inconsistent with, or even contradictory to reality: "The opportunities perceived to exist in the destination country by trafficking victims while they are still being deceived in their home country

can be linked to the availability of employment and to the demographic profile of the destination country” (Bales, 2005: 140). The problem lies in the circumstance that while migrants often clearly perceive the reasons why they should leave their home, they may never have full understanding of the pull factors or sufficient information about the situation in the country of destination, which provides a breeding ground for traffickers to create the false story of successful migration (Jahic, 2009). Migrants make their choices of destination countries based on pull factors (Bales, 2005). In other words, pull factors make people want to migrate to particular countries of destination (Lasocik, 2010). According to Bales (2005), pull factors that presage human trafficking in destination countries include: the proportion of the destination country’s male population over the age of sixty, the level of governmental corruption, the level of food production, and low infant mortality. Nonetheless, those factors are simply indicators of prosperity and stability, and suggest that human beings are trafficked from poorer to richer countries (Bales, 2005). To be more specific, the following sections will review pull factors in the country of destination in more detail.

2.3.2.1 Economic opportunities

The availability of economic opportunities in the country of destination is the strongest motivation for people to migrate there. There is an active demand for migrant workers in destination countries combined with the existence of recruitment agencies and persons willing to facilitate jobs and travel (Aronowitz, 2009). With regard to demographic circumstances in destination countries, the significant increase of an aging population and the low birth rate lead to the situation in which their economies will become increasingly reliant upon a migrant workforce to cover the labour shortage (Chuang, 2006). An insufficient workforce, due to the demographic trend of an aging population, is becoming widespread in many developed countries (Ray, 2005).

Although many economic sectors in more developed countries can be outsourced by international corporations, to move the production process to countries where labour costs are lower, in a number of others, such as the service or construction sectors, outsourcing working processes is virtually impossible (Castles et al., 2014). In the country of destination, there is a need for migrants to fill up the shortage of manpower in particular segments of the local labour market, which is often socially undesirable, highly dangerous, unpleasant or poorly paid (Jahic, 2009). Ray (2005) likewise holds that in countries of destination, the jobs that are available for immigrant low-skilled workers are difficult, dirty and dangerous and are often abandoned by local workers. Aronowitz (2009) argues that unskilled or low-skilled job opportunities in host countries tend to rise in sectors such as construction, domestic work, agriculture and food processing. While native workers who are well-educated are often not attracted by unskilled or semi-skilled jobs, migrants are always ready to accept them (Van Liemt, 2004). According to Bales (2005), a scarcity of local workers for low-skilled jobs implies a potential demand for immigrant workers who are willing to take such jobs.

Jahic (2009) argues that no labour migration could exist if there was no demand for employing migrants both legally and illegally. Human trafficking might stem from a demand for services which are provided by trafficking victims in the countries of destination (Deane, 2010). While illegal migration widely reflects a labour deficit in the countries of destination, trafficking not only reflects some of this deficit but also indicates other scarcities, such as a lack of brides, babies and organs (Asis, 2008). Ferguson and Mironesco (2008) claim that while the magnitude and pace of women migrating abroad for employment, particularly in developing countries, is accelerating, their areas of work are often at the bottom of the job hierarchy, where they may face

gross violations of human rights. Women and girls are often employed in sectors which are the most vulnerable to labour and sexual exploitation (Shelley, 2010).

2.3.2.2 Better living conditions

Higher salaries, greater possibilities for acquiring new skills and education, increased mobility, and a better standard of living in the country of destination are pull factors for migrants (Aronowitz, 2009). These high expectations of opportunities are boosted by global media and Internet access, and stories of returning migrants or those whose families have profited from the financial rewards (Aronowitz, 2009). Pull factors also comprise increased ease of travel (cheaper and faster travel opportunities, easier access to passports), established migration routes, and connections between ethnic and national communities in destination countries (Aronowitz, 2009).

Alternatively, Asiwaju (2007) contends that pull factors include the desire of women and children to have a better and brighter future, which they believe is obtainable in the country of destination. In addition, pull factors include the success of people who have been lured into the exploitative process, the hope for a better life, good pay, and a belief that these women and children will be able to escape their victimisation (Asiwaju, 2007).

2.3.2.3 Demand of the sex industry

Lasocik (2010) holds that pull factors comprise the demand for sexual services that are provided by migrants or trafficked. According to Duyne and Spencer (2011: 10), “The perennial market for sexual services continued unabated and as always there was a demand for ‘new faces and new flesh’”. In the commercial sex industry of destination countries the demand for sex workers always exists (Aronowitz, 2009). According to Hughes (2005), the demand for sex workers is the starting point of the sex trafficking

process. For example, trafficking takes place from neighbouring countries to China and India to meet the demand for sex workers in these countries (Shelley, 2010).

The driving force for sex trafficking is the demand for sex at a competitive price (Jahic, 2009). It is arguable that, if there were no market for sex, there would be no demand for sex workers among whom a significant number are trafficked victims (Hughes, 2005). While the commercial multi-billion-dollar sex industry exists in the countries of destination, the abuse and exploitation of women are driven by patriarchal power structures that objectify women as being fitted for sexual service (Aronowitz, 2009). In destination countries where the sex industry is thriving, the deficiency of sex workers is in part compensated by bringing in trafficked victims from other areas (Hughes, 2005).

It is obvious that pull factors in the country of destination coexist with push factors in the country of origin. There must be connections between push factors in the country of origin and pull factors in the country of destination, to create a pattern of human trafficking between two specific countries. In the next section, the operation of push and pull factors will be reviewed.

2.3.3 The operation of push and pull factors

According to Williams (2010), although push and pull factors still operate to encourage people to move across the national border, the questions of how, why and from where people migrate to a specific country may not be explained by the simple relationship between disincentive in the country of origin and draw in another. It is evident that people are pushed out of the country of origin where economic opportunities are limited and pulled into the country of destination that is richer and has a demand for cheap labour (Jones et al., 2007). However, although it is obvious that poverty contributes to

migration and human trafficking, it is arguable whether or not that poverty alone makes a person migrate and become a trafficking victim (Asiwaju, 2007). It is obvious that many poor women in the country of origin are not trafficking victims (Bales, 2005, Jahic, 2009). As migration requires resources to move across international borders, the poor lacking these resources, cannot migrate (Asis, 2008). Similarly, unemployment, war and the lack of a promising future are not necessarily causes of trafficking in themselves (Hughes, 2000).

Globalisation, which is characterized by a rapid rise in the international flow of all resources, including commerce, finance, socio-cultural values, media products and, particularly, human beings (Castles et al., 2014), exacerbates the gap between rich and poor, and particularly pressures women to migrate in a world with limited access to legal migratory channels (Turner and Kelly, 2009). Women and children are among the greatest losers from globalisation, as it has “facilitated the rise of human trafficking by marginalizing many rural communities, impoverishing women and children in many regions, and accelerating rural to urban migration” (Shelley, 2010). Globalisation strengthens economic push factors in the countries of origin (Dinan, 2008). Smugglers and traffickers are key beneficiaries of globalisation, as they concurrently take advantage of advanced technology, the state’s diminution of control over its border and citizens, and a growing global illicit economy (Shelley, 2010).

According to Jahic (2009), as a willingness to migrate is the most important characteristic of trafficked victims, trafficking is not likely to happen to people who are not willing to migrate, irrespective of their social economic status, their education level and their nationality. In human smuggling, migrants know where they will travel to, and the smuggler simply plays the role of a transporter who illegally facilitates the movement of migrants into other countries with their consent (Lee, 2011). Furthermore,

Wheaton et al. (2010: 136) hold that “Upon reaching the destination country, the smuggled individual has the agency to move and change jobs as desired and is therefore not considered a victim”. Contrastingly, in human trafficking, victims may not be aware of the place to which they will travel because of the involvement of coercion and/or deceptive elements (Wheaton et al., 2010). In the event of human trafficking, to a large extent, traffickers play the role of the decision-makers (Jac-Kucharski, 2012). While migrants ultimately choose to be smuggled, in the majority of human trafficking cases the decision of migration must be decided by both the victim (migrant) and the traffickers (Jac-Kucharski, 2012). In human trafficking, the traffickers’ motivation is profit, so they take a cost-benefit assessment into account to decide which country of destination will optimise their profits, although victims often know to where they are being trafficked (Wooditch, 2012). Human trafficking only occurs when there are potential victims, who are available for traffickers to recruit, and the trafficker’s cost-benefit analysis of trafficking shows that the profit would outweigh the risk of being caught (Jac-Kucharski, 2012). Traffickers take advantage of the push and pull dynamics that let them deceive vulnerable migrants, who are often not aware that traffickers’ promises are lies or gross exaggeration (Jones et al., 2007). Chuang (2006) claims that push factors are not created by traffickers, who instead seek opportunities to make profit from the already existing vulnerability of migrants. While traffickers often use the promise of a better economic future to deceive people into accepting fraudulent offers of employment abroad, a potential migrant’s decision to migrate is mostly based on this information (Jahic, 2009).

Chuang (2006) argues that the rational choice made by individuals, based on a cost-benefit analysis of relocating, may not fully explain the person’s decision to migrate, but rather the understanding of this decision has to be considered in a broader

context of what instigates migration. Push and pull factors are linked to one another by socio-cultural, economic, and political relations between the countries of origin and destination (Duong, 2014a). The key empirical question is “how these various factors (so-called “push-pull” factors in many economists’ accounts) interact with broader, political, geographic and cultural factors within and across regions to produce precise patterns of trafficking at particular historical moment” (Lee, 2011: 48). In the following section, the context of push and pull factors of trafficking in Vietnamese women to China are reviewed on the basis of the aforementioned conceptualised push and pull factors.

2.4 The context of push and pull factors of the trafficking in Vietnamese women to China

2.4.1 The context of push factors in Vietnam

2.4.1.1 Economic situation

Vietnam is primarily an underdeveloped country with an agricultural economy in which 75% of its 80 million people work on farms (Dang, 2006a). In Southeast Asia, Vietnam is one of the least developed countries, with the lowest per capita Gross National Product (GNP) (Piper, 2002). According to the UN Human Development Index table, the top countries of destination in human trafficking are often rated highly, while the top countries of origin in human trafficking are ranked at the middle of this table (UNODC, 2008a)³. According to the United Nations Development Program (UNDP) (2014), Vietnam is ranked 121st out of 187 countries as a Medium Human Development country on a four-level Human Development Index (HDI) ladder (Very High, High, Medium

³ The Human Development Index (HDI) is a composite index measuring the average achievement of a country according to three key dimensions: (1) a long and healthy life, which is assessed by life expectancy at birth, (2) being knowledgeable, which is measured by mean of years of schooling for adults aged 25 years and above and expected years of schooling for children of school-entering age, and (3) a decent standard of living which is measured by gross national income per capita (UNDP, 2014).

and Low Human Development). The Vietnamese government's comprehensive reform policy, "Doi Moi", which was introduced in the late 1980s, has substantially transformed Vietnam into a more diversified and open society (Dang, 2006a). The core of the "Doi Moi" policy is the transition from a centrally planned, bureaucratic and government-subsidised economy to a market economy (Dang, 2005, Dang, 2006a, Le, 2000, Ngo et al., 2007, Nguyen and Winters, 2011). Internally, the reform policy pushes Vietnam towards the market economy, privatisation, and market-based management (Dang, 2006a). In the meantime, there is an implementation of open-door and outward-looking policies in all aspects of social life, which integrate into the regional and global economies (Le, 2000). As the open-door policy and economic development increase the cross-border movement of goods and people, the number of migrants and visitors between Vietnam and neighbouring countries consistently rises (Dang, 2006a). Le (2001) argues that, due to the dramatic increase in trade activities and occupations, the development of the workforce in many areas of the economy is necessary, as well as in big cities in the wake of the "Doi Moi" policy in Vietnam. In addition, the transition to a market economy in Vietnam demanded the establishment of a new labour market, which induced a new flow of migration (Le, 2000).

Due to the "Doi Moi" reform policy, Vietnam's economic growth rate increased rapidly, and maintained a high level (averaging 7% per year) in the Mekong subregion over the past decade (Dang, 2008, Phan and Coxhead, 2010). The open economic system, which is no longer locally confined, makes part of the population aware of the increasing economic opportunities that migration affords them (Dang, 2006a). Rural-urban migration becomes an ongoing process, and a vital part of Vietnam's economic development (Nguyen and Winters, 2011). Moreover, during Vietnam's transitional period, internal migration helps to reduce economic inequality and increase economic

growth (Phan and Coxhead, 2010). According to Barbiéri and Bélanger (2009), a large number of Vietnamese women have an unprecedented employment opportunity due to globalisation and modernisation, which have created a demand for unskilled and low-skilled labour across the country. In addition, as the non-state market and private economic sectors have played an increasing role in closely connecting rural-urban and delta-border areas, people in rural areas particularly have become aware of the new economic opportunities throughout the country (Zhang et al., 2006). At the same time, improved transportation and communication networks have fully connected migratory destinations with rural areas and remote areas (Dang, 2004, Le, 2001).

An extraordinary achievement brought about by “Doi Moi” over the past two decades has been pulling Vietnam out of poverty and transforming it into a low middle-income country (Consular Department, 2012). However, in Vietnam, poverty still takes a heavy toll in rural areas, wherein 90% of the country’s poor reside (Dang, 2006a). Nguyen (2008b) claims that in rural areas, many poor families have to sell their farm land to cover daily living expenses, and as a result, many households without land have to work for other households to earn their living. In addition, about 74% of the population live in rural areas, where urbanisation has significantly encroached on the arable land (Duong, 2014b). As a consequence, part of the population has fallen into poverty (Le, 2000). Moreover, as jobs in rural areas are scarce and seasonal, many households consider migration as a way out of poverty or a way to improve their income (Nguyen, 2008b).

Despite the fact that absolute poverty (in which the standard of living falls below the minimum required for the maintenance of health and life) has been reduced, relative poverty is increasing (Lainez, 2011). In addition, poverty reduction is uneven between areas as a huge amount of investment is concentrated in a few urban centres and the

surrounding lowland provinces (Phan and Coxhead, 2010). There are growing disparities in production and income distribution between population groups and localities, especially between rural and urban areas (Le, 2000). According to Dang (2006a: 51), “On average, urban incomes in Ha Noi and Ho Chi Minh City are as much as 5-7 times the income of farming labourers in rural areas, and migrants from the North are also likely to earn more by moving to the southern provinces”. As decollectivisation and newly introduced household contract systems in rural areas have substantially improved agricultural production, and made underemployment and unemployment more significant, the increasing surplus labour force from rural areas began seeking economic opportunities away from villages, as offered by the non-state market (Zhang et al., 2006). Similarly, the increasing commercialisation of agriculture and the replacement of the manual workforce with modern machinery have made redundant a significant number of rural labourers (Dang, 2004). “Doi Moi” policy also encourages private economic sectors, such as production, trading and services, therethrough creating new jobs in the informal sector, which attract labour migrants, and facilitate transportation services and communication means, thereby encouraging people movement (Zhang et al., 2006). As a result, there has been increasing rural-to-urban migration, especially of women, in search of employment in export-oriented manufacturing, commercial trade and services (Vu and Agergaard, 2012).

In terms of demography, Vietnam has a 40-million strong labour force, with 1.2 million more joining annually, and around 17% of the total working-age population are unemployed (Dang, 2006a). According to the Central Census Steering Committee (2009), in 2009 the entire labour force of Vietnam was 49.2 million (aged 15 and above), accounting for 57.3% of the total population, and there were about 1.5 million unemployed. Among the total of 1.5 million unemployed, rural areas accounted for

about 59%, and the number of young unemployed aged 15 to 29 years old was 49.4%. This age population comprised only 37.7% of the population (Central Census Steering Committee, 2009). Vietnam is considered a densely populated country due to the fact that it is ranked 65th in terms of area but 13th (86 million in 2009) by population size (Consular Department, 2012). In 2010, 77.3% of the population were aged 15 and above, while 68% were of working age; the sex ratio was 97.8 men for every 100 women (Consular Department, 2012). In addition, He (2006) claims that there is a deficit of men and a surplus of women in Northern Vietnam because of the Vietnam war. Since the number of women outnumbers the number of men, many young Vietnamese women are seeking marriage opportunities beyond the border (Dang, 2005). Because Vietnam is seen as a labour surplus country, which is close to several relatively prosperous countries in East Asia, the pressure of labour migration is substantial (Dang, 2008). According to Le (2010), in Vietnam, legal migration of abundant and unskilled labour is often associated with poverty reduction targets, which are supported by government agencies. There has been the feminisation of migration, particularly for domestic, agricultural and factory work, as well as for marriage (UNIAP, 2012a). “Doi Moi” policy characterised by privatisation of the market economy has led to the weakening of social welfare, the removal of guaranteed housing, medical services and other basic services, resulting in an economic burden being placed on family members, especially women (Dang, 2004). According to Dang (2006a), due to the high costs of operating farms, and the low profits they generate, many women in rural areas are pushed to migrate to urban and trade centres, thereat undertaking informal occupations such as housemaids, babysitters, street vendors, collectors of recyclable waste, or as minor traders in border areas. Dang (2006b) holds that growing unemployment, lack of opportunities to improve income, and demand for cheap migrant labour in cities, are the

driving factors which make women and girls more inclined to migrate in the hope of creating a better life for both themselves, and their families. Additionally, Vietnamese migrant labourers often willingly accept difficult, low-paid, and dangerous jobs in the informal sector in destination places (Consular Department, 2012).

It is noteworthy that young women who migrate for economic reasons are exceptionally vulnerable to sexual exploitation and violence (Rushing et al., 2005). Dang (2004: 158) points out that young women from poor or indebted families are vulnerable to the “pull”- exaggerated and false prospects of money and job opportunities offered by agents or brokers. Female migrants, who are accustomed to working in agriculture and doing housework, face many difficulties when attempting to find a job in cities (Le, 2000). Most female migrants hold a low level of education and lack working skills (Le, 2000). According to UNIAP (2012a), migration in the Greater Mekong Subregion (GMS), including Vietnam, is growing significantly due to numerous factors, including uneven economic development, open border policies within the region, demographic imbalances, shared history within the region, social relationships, and ethnicity along international border lines.

Historically, until 1975, Vietnam has suffered many long-lasting wars of devastating consequence. The government had to prioritise reconstruction of the country, rather than focus on alleviating poverty, during certain periods (Duong, 2014b). In addition, Vietnam is perceived as one of the most natural disaster-prone countries in the world, often suffering some ten devastating tropical storms annually (Nguyen, 2007). The Northern Vietnamese provinces, close to the border with China, are mountainous, and agricultural production here is frequently affected by drought or flood; the income from farming in these provinces is therefore precarious, and inadequate to meet the food demands of rural families (He, 2006).

Vietnam's contemporary economic conditions are conducive to the migration of people, especially women and girls from relative poverty-stricken rural areas. Next, this chapter reviews the political, social and cultural circumstances within which human trafficking, especially trafficking in women, occurs.

2.4.1.2 Political, social and cultural circumstances

In Vietnam's previously centrally planned economy, household registration was closely linked to the state's distribution of basic necessities such as food and clothing (Zhang et al., 2006). After "Doi Moi", although the household registration system in cities remains in place, it no longer constrains migrants from obtaining basic goods and employment (Dang et al., 2003). The socio-political changes brought about by "Doi Moi" policy have transformed Vietnam's economic systems and led to the relaxation of state controls on the movement of people within the country (Djamba et al., 2000). The Vietnamese government also encourages unemployed people in rural areas to seek job opportunities in an overseas labour scheme (CEOP, 2011). In the 1980s, a large number of skilled workers were sent to communist countries in Eastern Europe and the Soviet Union, until the collapse of the communist system, and since the mid-1990s a large number of low-skilled workers have been sent by government-sponsored companies to Taiwan, Malaysia, South Korea and the Middle-East to reduce internal unemployment (Revenga et al., 2006). Yet, migrant workers find it difficult to legally take a job in parts of the Greater Mekong Subregion, such as Southern China or Thailand, as there are no labour agreements between Vietnam and neighbouring countries (Revenga et al., 2006).

It is assumed that "Rural women, especially those living in remote areas who have many children, lack land, and are ill, may constitute the most vulnerable group of women in the transitional economy" (Tran and Le, 2000:94). While the numbers of Vietnamese women who are working in poor conditions with low wages are increasing,

they have been overloaded with domestic chores (Le, 2000). Tran and Le (2000:97) argue that the traditional perception of Vietnamese women, in which they are in charge of caring for their home, giving birth and raising children, and are considered as “interior marshal” and “housekeeper”, remains alive. Le (1996: 263) holds that “Almost every Vietnamese woman took it for granted that unconditional service to men is the natural function, a required sacrifice, and an expression of self-denial, necessary in the role of women in the family”. As a result, Vietnamese women are often engaged in low-paid and unskilled jobs (Tran and Le, 2000).

Barbiéri and Pendakis (2009) point out that women in rural areas migrate to cities in search of good jobs because they have been denied access to post-secondary education, while some others leave their villages to alleviate the financial burden their presence places on their family. There is a widely held traditional belief that if women and young girls work away from home, their families benefit in terms of both financial support (through remittances) and social status in communities (Dang, 2005). Tran and Le (2000: 102) claim that: “Because of the imperfect labour market and the lack of information, knowledge, reliable lodgings and legal security, these people are easily attracted to and involved in social evils and add to the increasing number of sex workers and victims in the cities”.

Tran (2008) highlights the long-lasting influence of Confucianism in ensuring men’s power over women. Accordingly, a woman had to “obey her father before marriage, her husband during marriage, and her son in widowhood” (Tran, 2008: 341). Barbiéri and Pendakis (2009: 226) likewise point out that “A rural woman’s marital status generally determines her sphere of belonging: a daughter “belongs” to her natal family until marriage, then, after her marriage, she “belongs” to her husband’s family”. With regard to the employment and life of Vietnamese women during the economic

transition, Le (2001:13) states that: “Backward and patriarchal customs and habits still remain, limiting the freedoms of each individual. Respect for men and despising women still dominate the thinking of many people”. Dang (2004) observes that, as the traditional attitude toward the duties of girls and women within the family still perpetuate in rural communities, these women and girls have to shoulder the economic burden of their families. Barry (1996:145) points out that Vietnamese traditional values, which create “the belief in fate and filial piety”, strongly influence the relationships within a family, resulting in situations or circumstances that could be exploited by the sex industry. Migrants to other provinces or countries are much more likely to send remittances to their household back home in rural areas (Nguyen, 2008b). According to Rushing (2006), there is a gendered stereotype that the migration of daughters is a profitable means of supplementing the family income, regardless of the costs to the daughters’ well-being and future. Voelkner (2014: 380) points out that:

“[V]ietnamese cultural values including filial piety and self-sacrifice, central Confucian tenets, impose family obligations on girls, creating a desire to migrate, even if by unsafe and irregular methods or by needing to engage in “shameful” work in order to be able to support the family through home remittances”.

According to Le (2008), the family is one of three closely related elements - with the family, the village and the nation - that form Vietnamese society, and supports individuals from birth to death. As it is believed that getting married and having children are the biggest pleasures of a couple and are natural to everybody, a family with an unmarried child is often linked to bad luck, or guilt under the watch of their ancestors (Le, 2000). Nguyen (2008a) contends that the period of time for women to get married is shorter than that for men according to the traditional customs, and choosing a life partner for their daughter appears to be the parents’ responsibility. Barbiéri and Bélanger (2009:284) hold that “Delayed marriage was a source of worry for both

daughters and parents who feared that the girls would eventually be ‘on the shelf’ and difficult to marry”. At the same time, financial motivation is seen as the primary factor for rural Vietnamese women when deciding to get married to a foreign husband (Wang and Chang, 2002). According to Bélanger (2010), the Vietnamese women who want to marry to a foreigner hope that migration through international marriage will help them provide financial assistance to their natal families, as well as improve their own lives. Bélanger (2010) further records that Vietnamese migrant brides contribute a significant proportion of foreign spouses in other Asian countries; for example, Vietnamese brides constitute the second largest group of the foreign spouse population in South Korea and Taiwan. In addition, a number of Vietnamese women tend to look for Chinese husbands in searching for “both economic betterment and more equal gender roles in the family”, as they wish to resist the Vietnamese men’s strong tendency towards adultery and greater patriarchy at home (Chan, 2013: 114).

In sum, this section reviewed the Vietnamese context in which push factors of trafficking of women exist and interact with pull factors in the countries of destination. Vietnamese women have been trafficked to many different countries; the pull factors vary between these countries. Yet, as reported by Vietnamese law enforcement agencies, for the majority of Vietnamese women trafficked, more than 60%, the destination is China. To build the background of pull factors for the trafficking of women to China, the next section reviews the Chinese context by looking at three aspects: demographic situation and labour market transition, the resurgence of the sex industry, and cultural discrimination against women and the “bride price” culture in Chinese society.

2.4.2 The context of pull factors in China

2.4.2.1 Demographical situation and labour market transition

According to UNDP (2014), in terms of development China is ranked 91st out of 187 countries, as a high human development country, while Vietnam is ranked 121st as a medium human development country. Peng (2011) claims that China is changing from an agricultural country to an industrial one (with almost 50% of the population now working in urban areas), while its population is ageing rapidly. There is a huge number of rural migrants (about 220 million out of total population of more than 1.3 billion) living in urban areas without household registration (Peng, 2011). It is arguable that there are dual processes at work in China: the ageing population is increasing rapidly, while the labour participation rate is likely to go down due to a low birth rate over the past several decades, and the supply of migrant workers from rural areas is running out (Cai, 2010, Wang, 2014). In 2004, China experienced labour shortages in several coastal economies due to difficulties experienced by employers in recruiting migrant labour for factories (Huang, 2004). Additionally, Zhang et al. (2011) proclaim that a new era of labour shortage is emerging in China, as the era of unlimited labour supply has already come to an end due to China's one-child policy and its rapidly ageing population. At the same time, real wages have increased significantly, and they may eventually undermine China's labour competitiveness with other developing countries (Yang et al., 2010, Zhang et al., 2011).

The uneven economic development between western regions and eastern coastal provinces has resulted in inequality among different geographic areas and growing regional disparity in economic prosperity (Liu, 2011). As the economic reforms of the Chinese government from the late 1970s have created a large number of job opportunities in urban areas, many peasants moved from their homes to seek better lives

in the big cities (Shen et al., 2013). Zhao (2003) points out that with the rising migrating wave of women from rural areas to cities, the sex ratio imbalance in some rural areas is exacerbated, and many unmarried men find it more difficult than before to find a bride from their own community.

According to Cangping and GuangZon (2004: 33), China's family planning policy was first introduced by the central government in the early 1970s, as the uncontrolled rapid growth of the poor population was predicted to bring China's economy to "the brink of collapse". It is widely accepted that China's birth limitation policy, coupled with a cultural preference for sons, especially in rural areas, created a skewed sex ratio in China, which lead to lack of brides for Chinese men at marriageable age (He, 2006, Jiang et al., 2014, Lee, 2011, Lim, 2004, Shelley, 2010, Shen et al., 2013, Wang and Pan, 2013). It is worth noting that the skewed sex ratio at birth in China has consistently remained at a high level of around 120 boys to 100 girls over the past several decades, following the stringent implementation of China's family planning policies (Jiang et al., 2011b). Poston et al. (2011) contend that more than 40 million already born boys in China will not be able to wed a spouse because of a lack of women. Additionally, Jiang et al. (2014) point out that from 2010, China has faced a serious surplus of men, and more than 10% of males born after 1980 will find it difficult to find a spouse.

According to Zhao (2003), the severe imbalance of the sex ratio in China has lead to a large number of bachelors. Hesketh and Xing (2006) point out that bachelors or "bare branches"⁴, are in the lowest social class in Chinese society. The male marriage

⁴ "Bare branches", or *guang gun-er* in Chinese, refers to Chinese men who are not able to marry, resulting in the family tree having a bare branch which will never bear fruit (Hudson and Den Boer, 2004). Similarly, as these Chinese men do not have children, they are seen as tree's branches without leaves (Jiang and Sanchez-Barricarte, 2012).

squeeze is worsening in poor rural areas, as marriageable girls in these areas often migrate and marry rich men in big cities (Jiang et al., 2015, Sharygin et al., 2013). Therefore, there are a number of bare-branch villages in impoverished rural areas (Jiang and Sanchez-Barricarte, 2012). Moreover, Jiang and Sanchez-Barricarte (2013) argue that bare-branch men's demand for a spouse creates a bride market where kidnapping, human trafficking, and selling and buying of women occurs.

2.4.2.2 Resurgence of the sex industry

According to Piper (2005), the economic transition in former communist countries like China and Vietnam has brought about the revival of prostitution. The resurgence of prostitution is attributed to the market economy in which China has engaged since 1979 (Zhou, 2006). As uneven development stemming from the rapid economic growth of China's economy has broadened the gap between the rich and the poor, a new stratum of impoverished people has been emerging, and relative poverty has been increasing (Liu, 2011). At the same time, those of the Chinese population who are becoming richer and pursuing a materialist lifestyle, consider sex as a possible commodity that can be consumed unrelentingly, although buying sex and prostitution are looked down upon by traditional culture (Liu, 2011). This means that the demand for sex workers has been continually increasing (Hughes, 2005).

As mentioned, there is a severe shortage of brides in China, and a large number of men are pushed into being single, never marrying in their lifetime (Jiang and Sanchez-Barricarte, 2013). The deficiency of women available to men tends to make them seek sexual services provided by sex workers (South and Trent, 2010). Jiang and Sanchez-Barricarte (2012) argue that China's bare branches are more likely to visit sex workers, while the enormous number of bare branches may create a broad market for the sex industry in rural areas.

According to Liu (2011: 181), although “The 1991 Decision” of China imposes a severe punishment on hotels, restaurants and entertainment facilities that ignore the ban on prostitution, there are barely any arrests, because local authorities are concerned about the negative impacts on the local economy of disrupting prostitution. Therefore, on the one hand, the local governments enable these entertainment establishments to operate as legal businesses to attract investment and boost the economy, but on the other, they have to maintain a severe stance on this “social evil”, in accordance with the anti-prostitution policy of the central government (Liu, 2011: 182). Additionally, Zhang (2012) points out that the sex industry provides a means of livelihood for the families of sex workers, as well as ample employment opportunities in various businesses that are closely linked to each other, such as hotels, restaurants, convenience stores, private clinics, karaoke bars, foot massage clinics, and beauty spas.

According to Liu (2011), the creation of “Special Economic Zones” (SEZ) in the southeast coastal areas and at the edge of China’s southern territory created magnets for migrants who come from undeveloped areas and constitute what is referred to as a “floating population” without local household registration. As most of the male migrants among the 140 million of the transient population are living away from their wives, they are likely to visit sex workers (Liu, 2011). Liu et al. (2012) claim that migration leads to the increase in the male migrants’ demand for female sexual services.

Since 1980, accompanied by the profound economic reform policy, Chinese society is undergoing de-traditionalisation in terms of sexuality, in which there is an acceptance of commercial sex work as part of business and social life (Zheng et al., 2011). In China’s transitional context, sexual promiscuity has become an accepted lifestyle among young men and the traditional moral value that “lewdness is the worst of all vices” has turned into “laughing at poverty, not at prostitutes” in contemporary

Chinese society (Liu, 2011: 155). A large number of Chinese men do not believe that buying sex is immoral, but instead that it is acceptable, and is a type of charity for sex workers (Liu, 2011).

The enduring preference of sons to daughters is perpetuated by the traditional attitudes and norms of Chinese society. This prejudice against Chinese women places them in a discriminated position in the family life and society. The following section will look at the manifestation of cultural discrimination against women in Chinese society.

2.4.2.3 Cultural discrimination against women and “bride price” issues

He (2006) argues that traditional Confucian values still afflict China’s society, and so a certain number of women, particularly foreign migrant women are continuously marginalised, and left outside social and economic decisions. The traditional culture of son preference and daughter discrimination still exists across China (Jiang et al., 2011a). Liu (2011: 157) claims that “In traditional Chinese culture, daughters are not very important; it is the son that matters. A daughter getting married means the loss of labour”. The predominant status of the son over the daughter is demonstrated by the expectation that he will inherit property, continue the family line, and become a powerful pillar in the family (Jiang et al., 2011a). Yik-Yi Chu (2011: 46) contends that: “Sons were a treasure while girls were a burden in the villages of Guangxi and in many places in rural China”. According to Jiang et al. (2011a), in China’s rural areas the dependence of people on younger family members for economic and social support, in the absence of financial wealth or social insurance, makes them prefer a son to a daughter (Jiang et al., 2011a). At the same time, a wide range of economic, educational and social policies have been introduced by the Chinese government to improve the status of Chinese women and girls (Cecilia Lai-wan et al., 2006).

There is a culture in China that encourages marriage, and bachelorhood is therefore not easily accepted (Poston et al., 2011). Traditionally, as marriage is seen as the hallmark of men's maturity, irrespective of their age, parents often prioritise the marriage of their children as one of their overriding duties (Jiang and Sanchez-Barricarte, 2013). It is still culturally accepted that the groom's family pay the bride's family a dowry, as after a girl marries, she will only work and economically contribute to her husband's family (Zhao, 2003). While the traditional practice of paying for brides is historically attributed to China's patrilineal family system, the surplus male population contributes to the prevalence of paying a bride price throughout China (Jiang and Sanchez-Barricarte, 2012). Additionally, as the marriage market becomes more competitive than ever before due to surplus men over the past several decades, the "bride price" has soared tens to hundreds of times (Jiang et al., 2011a, Jiang and Sanchez-Barricarte, 2012). In the marriage market, the sharp increase in "bride price" has placed economic pressure on unmarried young men and their family members in rural areas where people's income relies on agricultural production (Jiang et al., 2014). Therefore, the bride deficit in China has led to a change of marriage patterns, in which imported brides are an alternative (Peng, 2011).

The clear tendency is that rural Chinese men who find it difficult to get married due to a severe sex ratio imbalance and the growing cost of weddings, are willing to buy foreign brides as a cheaper and easier option (Gil and Anderson, 1998, Lim, 2004, Wang, 2005, Zhang, 2012). Purchasing a trafficked woman is the "simplest and cheapest way" for single Chinese men to get a wife (Zhao, 2003: 87). Moreover, Vietnamese brides are preferred by Chinese grooms due to both demographic and economic factors (UNIAP, 2012a).

In reviewing the context of push and pull factors of trafficking of Vietnamese women to China, it is necessary to examine the cross-border relations between the two countries. These relations contribute to the explanation of the movement of Vietnamese women to China. In the next section, the main aspects of the cross-border relations between Vietnam and China will be reviewed.

2.4.3 Geographic, political, migratory, cultural and commercial relations across the Sino-Vietnamese border

Vietnam borders two of China's southwest provinces - Guangxi and Yunnan - which have a combined population of 88 million people, almost equal to Vietnam's total population. These provinces are linked to northern Vietnam by both railway (including two routes: Nanning-Ha Noi and Kunming-Ha Noi-Hai Phong) and roads (including 10 roads connecting the two sides) (Xiaosong and Womack, 2000). The borderlands between south-western China's province of Yunnan and Vietnam are part of the Greater Mekong Subregion (GMS) (Kneebone and Debeljak, 2012). The cross-border trade between Vietnam and China is expected to increase to a new high as a result of the approval of projected transportation networks in the Greater Mekong Subregion and the China-ASEAN Free Trade Area (ACFTA) under the auspices of the Asian Development Bank (ADB) and the World Bank (WB) (He, 2006). Recently, booming development and the improvement of infrastructure on both countries' borderlands have facilitated both transnational trade and cross-border tourism (Turner, 2010). In addition, Vietnam is considered a bridge in connecting China's economy with the economic community of the Association of Southeast Asian Nations (ASEAN) in an ACFTA (Chan, 2013). Using the concept of "two corridors, one economic belt", the economic connections between the two countries are promoted with the completion of highways crossing the Sino-Vietnamese borderland (Chan, 2013, Zhang, 2012). According to

Nguyen (2013b), China's policies to develop the borderland with a building-up of new infrastructure connecting with the economic corridor of the Greater Mekong Subregion have promoted cross-border trade and migration flows at the border gates between Vietnam and China.

According to He (2006), there has been a long history of cross-border migration between Vietnam and China, and the relationship between the two countries has reached a new high level of development in the wake of the economic reform policies (launched in 1978 in China and 1986 in Vietnam), and the normalisation of the relationship across the border in 1991. Prior to the official national demarcation between the two countries, cross-border petty trading activities, marriage practice, and border crossing by borderland residents, who shared the same ethnic background, were common (Goscha, 2000, Zhang, 2012). The short border war between Vietnam and China in 1979, the next subsequent ten years of political tension, and sparse military conflicts along the Sino-Vietnamese frontier, disrupted the border crossing of borderland people of both sides until the late 1980s (Turner, 2010). The normalisation of the Sino-Vietnamese relationship paved the way for reopening the border between the two countries in the early 1990s (Zhang, 2012). The population of both Vietnam and China engaging in border crossing comprises six categories: ethnic people, traders, farmers, marriage migrants, labour migrants, and tourists (Nguyen, 2013b). According to Chan (2013: 112), due to the fact that China is more developed than Vietnam, the form of transnational marriage is often between Chinese men and Vietnamese women, whereby Vietnamese brides are stereotyped as "women chasing after rich and economically well-off Chinese men".

From the reopening of the frontier, the value of border trade between the two countries has continually been increasing, while many free trade zones were established

to facilitate the huge movement of goods across the border (Zhang, 2012). This also attracted a huge number of tourists and shoppers from both sides (Lei and Hanh, 2011). There is an increasing cross-border growth of tourism, and many borderland cities and towns have become attractions to tourists from both countries (Xiaosong and Womack, 2000). The increasing growth of trade and tourism activities is also attributed to new regulations at the border, such as visa exemptions for residents of the border provinces, and the extension of the border gates' opening hours (Lei and Hanh, 2011). Zhang (2012) points out that the politics of exception, which had been seen in the free trade zones of the borderland of China, aim at promoting local economies. In 1992, soon after normalisation between the two countries, five cities and towns around the border areas - Nanning, Dongxing, Pingxiang (in the province of Guangxi), Kunming and Hekou (in the province of Yunnan) - were opened under the approval of the Chinese government, and those cities and towns were subjected to preferential policies, which allowed the local governments to examine and approve investment projects, and reduce and cancel tariffs and taxes (Xiaosong and Womack, 2000). For example, Hekou County (an autonomous county of the Yao people bordering the Vietnamese city of Lao Cai) has been granted many privileges under the Nationalities Regional Autonomous Law of the People's Republic of China, including tax exemption for up to five years and some economic independence in which policies concerning border trade can be made directly by local authorities (He, 2006). In addition to the Chinese government's policies, many preferential policies were also adopted by local governments (at provincial, district and county levels) in the border region (Xiaosong and Womack, 2000).

Although border trade has transformed every border town in China with booming construction and investment, border trade is asymmetric, as China is the world's second largest goods exporter while Vietnam ranks 50th, and Vietnam's

economy is much smaller than China's (Womack, 2010). At the borderland, although both sides of the Sino-Vietnamese border benefit from the trade, tourism and investment boom, there is uneven economic development, with the development of the Chinese side being much more rapid than that of the Vietnamese side (Xiaosong and Womack, 2000). China's merchandise floods Vietnam's market due to similar socio-cultural and economic conditions, and low transportation costs (Womack, 2010). While light production merchandise from China has dominated the market for such goods in Northern Vietnam and afflicted local production (Womack, 1994), Chinese technology-intensive manufacturing products also have a comparative advantage in entering Vietnam's market (Quynh Cao and Wang, 2011). Despite a trade deficit, Vietnam's government still wants to expand its border cooperation with China through the establishment of a number of trade ports and special economic districts along the border, in cities such as Mong Cai, Lao Cai and Lang Son (Xiaosong and Womack, 2000). These special districts are granted preferential policies (including a 50% tax reduction for land use and for new enterprises, relaxation of entry and departure of foreigners, and 50% of revenue being retained to reinvest in local areas) to promote investment from outside, and develop trade and tourism (Xiaosong and Womack, 2000).

As a result of trade promotion policies, there are a wide range of cross-border trading patterns from small-scale trade, border-area-restricted trade and large-scale trade, which is in part transported through border regions (Xiaosong and Womack, 2000). Due to the open border policy and the growing trade between Vietnam and China, the borderland areas create a large number of economic opportunities, which attract a huge flow of people from many parts of the interiors of Vietnam and China arriving to advance their income (Chan, 2013). The Sino-Vietnamese border is an economically valuable frontier, which brings many economic benefits to borderlanders who engage in

cross-border trade (Chan, 2013). Additionally, Turner (2010) claims that while the dynamics of cross-border trade are shaped by the processes of market liberalisation and globalisation, two socialist states, Vietnam and China, continue to reassert their control over territory, borderlanders, and transnational commercial activities. Nguyen (2013b: 25) contends that “The open policy and friendly relations between the two countries, along with the rapidly improved infrastructure system, facilitate migrants’ search for business possibilities”. Due to the economic dynamics of the borderlands between Vietnam and China, and the huge demand for crossing the border, there are both formal and informal border controls (Chan, 2013). In addition, Xiaosong and Womack (2000) hold that the long, uncontrollable Sino-Vietnamese border is taken advantage of by criminals from both sides, who engage in illegal activities such as drug trafficking, car smuggling, arms trading and bride smuggling from Vietnam to China.

As a result of such developments in infrastructure and border trade, the numbers of brothels have proliferated, particularly in the borderlands of the GMS’ countries (Kneebone and Debeljak, 2012). Lei and Hanh (2011: 97,98) contend that “Recently developed trade relations have led to massive flows of people and goods crossing the border on a daily basis and have also opened ways for Vietnamese women to come to China to engage in retail business and sex work”. Due to the unprecedented economic growth in the free trade zones along the Sino-Vietnamese demarcated border line, they draw in a significantly increasing number of illegal and undocumented migrants from Vietnam (Zhang, 2012). At the border gates, the formalities of entry and exit papers are strictly carried out, while beyond the border gates, there are many informal waterways or land crossing points where people from both sides, particularly borderlanders, can cross the border without the proper entry and exit papers (Chan, 2013).

Although prostitution is illegal according to China's policy and legislation, the borderland with Vietnam is considered as a place "where sexual dreams of Chinese men and economic dreams of Vietnamese women meet and materialise" (Lei and Hanh, 2011: 84). In the border town of Hekou, Vietnamese sex workers are registered as temporary residents and they solicit clients openly in the Vietnamese markets (Chan, 2013, Lei and Hanh, 2011, Zhang, 2012). Chan (2013) argues that the growing sex industry in China's borderland is promoted by the imbalance of economic development between the two countries and the rapid rise in the number of tourists to the borderland. As a variety of economic and political concessions are given to businesses within the SEZ, local authorities are likely to turn a blind eye to the existence and development of prostitution, which can bring tangible benefits to the local economy (Zhang, 2012). Chinese men, who are benefitting from ever-increasing economic growth and have disposable income, make up the majority of the clientele of Vietnamese sex workers in China's borderland (Lei and Hanh, 2011). Zhang (2012) points out that Chinese men's perception of Vietnamese sex workers in the border town Hekou is one of manipulators who openly solicit Chinese men in the street. It is noteworthy that widespread apprehension about HIV/AIDS has increased the demand for younger girls in the sex industry (Vu, 2006). He (2006) claims the prevailing belief that virgins can give promising luck makes young girls extremely valuable to businessmen in China and several other Asian countries.

2.5 Conclusion

This chapter has examined the theory of push and pull factors for human trafficking. Human trafficking and migration are inextricably linked to each other, meaning that it is impossible to research human trafficking and migration separately. Based on the concepts of push and pull, the chapter examined push factors from different

perspectives. A variety of push factors concerning economic, social, cultural, conflict, and political issues were reviewed across human trafficking literature. Although push factors vary dependent upon context, it is widely agreed that poverty/ a lack of economic opportunities, overpopulation, war/conflict, and political suppression are push factors. In contrast to push factors, the examination of pull factors, including the availability of economic opportunities, better living conditions, and the lure of the sex industry that they are in opposition to push factors. The interaction between push and pull factors was examined to understand how migration and human trafficking occur. It is evident that push and pull factors cannot fully explain why, how and to where a specific person migrates. In fact, push and pull factors are linked to each other by a variety of social, cultural, political and economic relationships between the countries of origin and destination. This leads to the fundamental question of how push and pull factors connect with each other under the broader context of cross-border relations to produce the dynamics of human trafficking between the countries of origin and destination.

As this study examines the push and pull factors of trafficking in Vietnamese women to China, this chapter also reviewed the specific contexts in which push factors in Vietnam and pull factors in China exist. Vietnam's economic situation shows that poverty, unemployment and lack of economic opportunities are still problems in the transitional economy. In addition, the "Doi Moi" policy, which directs Vietnam's economy towards a market economy, commenced a new era of migration, both domestically and transnationally. The political, cultural and social circumstances reveal that the political changes brought about by "Doi Moi"'s comprehensive reform and the prevailing discrimination against women motivates them to migrate for the sake of their families. With regard to the Chinese context, this chapter examined the demographic

situation, the shortage of labour, the resurgence of the sex industry, the culture of “bride price”, and the discriminatory attitude towards women. In addition, the connections between Vietnam and China were examined by reviewing their geographic situation, cross-border trade, and governmental border policies. Upon these circumstances, push and pull factors interconnect. The next chapter reviews the policy and legal frameworks to tackle the trafficking of Vietnamese women to China.

CHAPTER 3

POLICY AND LEGAL FRAMEWORKS TO TACKLE THE TRAFFICKING OF VIETNAMESE WOMEN TO CHINA

3.1 Introduction

This chapter examines anti-trafficking policy and the legal frameworks of both Vietnam and China as well as the bilateral legal agreement between the two sides to prevent and combat the cross-border trafficking in women and girls. Firstly, Vietnam's anti-trafficking policy and legal framework, especially the Anti-trafficking Act 2011 and the Penal Code provisions and guidelines on human trafficking are considered in detail. Subsequently, Vietnam's approach to human trafficking in general and the trafficking in women and girls in particular is discussed. The chapter then clarifies the key issues in China's Criminal Law and its policies pertaining to the fight against trafficking in human beings, especially women and children. As a result, some loopholes in China's criminal law concerning human trafficking are pointed out. Next, the legal agreement between the two countries is discussed, and finally investigations into trafficking incidents in the context of the trafficking of Vietnamese women to China are reviewed.

3.2 Vietnam's anti-trafficking policy and legal frameworks

3.2.1 Anti-trafficking policy

The trafficking in women and children was first officially considered to be a severe problem by the Vietnamese government on 17th September, 1997, when the Prime Minister issued Directive No 776/TTg Assigning Responsibility for Taking Measures to Stop Illicitly Sending Women and Children Abroad (Vu, 2006). However, the Penal Code 1985 already stipulated that "selling" and "buying" of women and children were crimes in two different Articles. Accordingly, it was stated that, although the number of

arrests in accordance with the crime of trafficking in women and children stipulated in the Penal Code 1985 had been increasing, the problem itself was worsening. Therefore, the Ministry of Public Security (MPS) took responsibility for the identification of hotspots, the collection of statistics on the number of women and children trafficked for purposes of prostitution and forced marriage, and in cooperation with other related sectors and local authorities for the suppression of traffickers and those who facilitate the trafficking of women and children, including marriage brokerage services and travel agencies (Vietnamese Prime Minister, 1997). In addition, the MPS needed to cooperate with the border guards and frontier provincial authorities and other countries to control entry and exit at border gates and to crack down on the trafficking of women and children by criminal groups. Also, the Ministry of Justice, in cooperation with other relevant bodies is responsible for presiding over the promulgation of the inter-ministerial guidelines for investigating, prosecuting and trying this type of crime with all due severity (Vietnamese Prime Minister, 1997).

Confronted with the complexity and increasing scale of trafficking in women and children, the National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010 was approved by Decision No.130/2004/QĐ-TTg of the Vietnamese Prime Minister on July 14th, 2004. Based on this programme, four projects were established, including: 1. disseminating information and educating people to identify, prevent, and combat the crime (implemented by Vietnam's Women's Union); 2. preventing and combating human trafficking; 3. receiving and assisting trafficked women and children who are rescued from abroad (implemented by the Ministry of Public Security and Border Guard Command); 4. building up the law and regulations concerning trafficking in women and children (implemented by the Ministry of Labour, Invalid and Social Affairs, and the

Ministry of Justice) (Vietnamese Prime Minister, 2004). The Ministry of Public Security acted as the central agency to coordinate with all other government agencies and branches and neighbouring countries to tackle the problem of trafficking in women and children (Vietnamese Government, 2004). After five years of the implementation of the National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010 (NPA), the government agencies responsible for preventing and combating trafficking had achieved some success such as in raising awareness of the public and the detection and prosecution of traffickers, and especially in contributing to the approval of the Anti-trafficking Act 2011 adopted in March, 2011, and which came into effect in January, 2012 (Do and Dang, 2012).

Derks (2000), Vu (2006) and Voelkner (2014) claim that human trafficking is considered by the Vietnamese government as among the “social evils” which are a negative side-effect of the open-door policy, economic transition, process of urbanisation, and the mounting integration of Vietnam into the region and the globe. Accordingly, the trafficking of Vietnamese women and children is an: “urgent and pressing problem, badly affecting the society, customs, tradition, social morals and national laws, destroying family happiness, increasing the risk of HIV/AIDS transmission and resulting in potential impacts on national and social security” (Vietnamese Government, 2004: 2). In addition, trafficking in Vietnamese women is “an independent social evil” that has its own features, although it relates to prostitution in a “very close supply-and-demand relationship” (Le, 2000:19). In addition, “Sex work in Vietnam is considered illegal and officially labelled as a ‘social evil’ under the government’s anti-prostitution law. A social evil approach to sex work comprises repressive measures such as the rounding up of sex workers and placing them in forced rehabilitation centres” (Ngo et al., 2007: 556). According to Vijayarasa (2010), the

Vietnamese government's narrow approach to human trafficking as a criminal issue and a "social evil"⁵ results in the failure to be fully aware of the push factors involved, particularly economic ones that lead women to take risky actions where they end up being trafficked. She adds that this approach especially promotes the public perception of trafficking victims as criminals. Furthermore, as a result of intensified propaganda launched by the government against human trafficking as a social evil in comparison with traditional Vietnamese femininity, trafficking victims experience various forms of stigmatisation (Voelkner, 2014). With regard to the relationship between trafficking and prostitution, Dang (2004) argues that the strong anti-prostitution attitudes and actions taken by Vietnamese government agencies, such as forced educational rehabilitation and raiding campaigns on sex workers, discourage sex trafficking returnees from choosing to come forward.

The second National Programme of Action on the Prevention and Suppression of Human Trafficking during the period 2011-2015 was approved by Decision No.1427/QD-TTg of the Vietnamese Prime Minister on 18th August, 2011 (Vietnamese Prime Minister, 2011). In comparison with the first National Plan of Action, the second programme extended the definition of trafficking victims to include both women and men, and introduced international cooperation as a main counter-trafficking measure. Although one of the main aspects of this programme was its focus on trafficking prevention, none of the five anti-trafficking projects in the programme addressed push and pull factors. The programme still only approached human trafficking as a criminal

⁵ According to an official teaching document approved by the Ministry of Education and Training in 2005, social evils are social phenomena which include behaviours against morality, social norms and standards and legislation, causing serious consequences for society. There are many social evils and the most dangerous are drugs, prostitution, and gambling (in Vietnam, gambling is illegal).

The Article 5(1) of the Anti-trafficking Act 2011 reads: "The prevention and suppression of human trafficking shall be included in the programmes of prevention and suppression against crime, social evils, and shall be combined with other socio-economic development programmes" (National Assembly of Vietnam, 2011)

and “social evil” problem, and the Ministry of Public Security was assigned to preside over all of the programme and implemented three out of the five projects which were: to improve the crackdown on human trafficking; to improve the legal framework on human trafficking and monitor the implementation of human trafficking legislation; and to step up international cooperation against human trafficking. The two remaining projects which were: to push forward with awareness raising concerning human trafficking and to receive, verify and assist trafficking victims (both men and women, within and across the border), were assigned to the Ministry of Information and Communications and the Ministry of Labour, Invalid and Social Affairs respectively.

3.2.2 The Anti-trafficking Act 2011

In 2011, Vietnam adopted specialised human trafficking legislation for the first time. This legislation could be considered the result of the National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010 and the review of the fight against traffickers in Vietnam (Nguyen et al., 2012). The legislation includes eight chapters with fifty eight articles on the seven key issues concerning: general provisions (Chapter I); prevention of trafficking in persons (Chapter II); the detection and handling of violations of the law on preventing and combatting trafficking in persons (Chapter III); receipt, verification and protection of victims (Chapter IV); support for victims (Chapter V); the responsibility of the government, ministries, governmental agencies and local authorities in preventing and combatting the trafficking in persons (Chapter VI); and international collaboration in preventing and combatting trafficking in persons (Chapter VII). The promulgation of the Anti-trafficking Act 2011 is an important step forward to create firm, sufficient and consistent legal grounds for preventing and suppressing the trafficking in persons (Nguyen et al., 2012).

The Anti-trafficking Act 2011 provides regulations and policies to prevent and combat human trafficking, which covers both trafficking in women and men, while the National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010 only focused on trafficking in women and children. Accordingly, the Anti-trafficking Act clearly specifies the role and function of specialised bodies responsible for preventing and combatting human trafficking. Specifically, Article 3 of the Anti-trafficking Act prescribes a list of a wide range of prohibited acts which cover all those mentioned in the UN Trafficking Protocol definition (including recruitment, transportation, harbouring, transferring and receiving of persons) and acts of selling or buying of a person in the Amendment Penal Code 2009. Nonetheless, traffickers will only be prosecuted for the acts of selling or buying a person in accordance with the crime of trafficking in persons in the Amendment Penal Code 2009. Also, Articles 119 and 120 of the Amendment Penal Code 2009 can be used to prosecute other crimes other than human trafficking, such as human smuggling or child abduction for adoption (U.S. Department of State, 2012).

According to Hoang (2015), the conceptual provisions of the Anti-trafficking Act 2011 are similar to the UN Trafficking Protocol definition, apart from the constituent element of means which is closely linked to the controversial issue of consent. In addition, with regard to particular terms used, the Anti-trafficking Act 2011 leaves out other forms of labour exploitation other than “forced labour” which is provided in Article 2 (Vijayarasa, 2013). Furthermore, there is little improvement in regards to using “social evil” language in anti-trafficking legislation because it continues to categorise counter-trafficking prevention and suppression with other “social evils” such as prostitution, HIV and drug use and other crimes (Vijayarasa, 2013).

According to Voelkner (2014: 381), it seems that the promulgation of the Anti-trafficking Act 2011 resulted from international pressure and national interest rather than a victims' rights motivation:

“[t]he government’s decision to invite international organisations to help manage the problem of trafficking in women and children in and from Vietnam is linked with its open-door policy to promote Vietnam as a serious player on the world stage. As such, it bowed to political pressures from the regional Association of Southeast Asian Nations (ASEAN) and other international organisations as well as to pressures arising from its bid for membership of the World Trade Organisation (WTO)”.

After the approval of the Anti-trafficking Act 2011, Vietnam ratified both the UN Convention against Transnational Organised Crime and the UN Trafficking Protocol on 29th December, 2011 (Vietnamese President, 2011). The Vietnamese Prime Minister had issued Decision No. 605/QĐ-TTg on the Approval of the Implementation Plan of the UNCTOC and UN Trafficking Protocol. Accordingly, government agencies were required to “internalize the UNCTOC and the UN Trafficking Protocol provisions, thereby improving the system of domestic law and international cooperation against transnational organised crime and human trafficking” (Vietnamese Prime Minister, 2013).

With regard to trafficking victims, the Anti-trafficking Act 2011 prescribes that “victim” means a persons whose rights are infringed upon by one of the following acts: “1. Trafficking in persons under Article 119 and Article 120 of the Penal Code”, “2. Transferring or receiving persons for sexual exploitation, forced labour, removal of human organs or other inhuman purposes”, and “3. Recruiting, transporting and harbouring persons for sexual exploitation, forced labour, removal of human organs or other inhuman purposes, or for the purpose of committing acts stipulated in the two previous sections” (National Assembly of Vietnam, 2011: 1). These provisions mean that a trafficked person may be a victim not only in a criminal case but also in an

administrative case (Nguyen, 2013a: 124). This view is supported by Anh et al. (2012: 22) who claim that, apart from the victims identified in criminal cases in compliance with the Amendment Penal Code 2009, victims mentioned in the Anti-trafficking Act 2011 can also be persons whose rights are infringed upon by “human trafficking-related acts” as specified in Clauses 2 and 3 of Article 3 of the Act. Meanwhile the Penal Code does not refer to the victims of human trafficking specifically, whereas the Anti-trafficking Act 2011 stipulates the grounds to identify trafficking victims in Article 27. Accordingly, a person can be identified as a victim if he/she is directly a subject of one of the following acts: (1) selling or buying persons under Articles 119 and 120 of the Penal Code, (2) recruiting, transporting, harbouring, transferring or receiving persons for the purposes of sexual exploitation, forced labour, removal of human organs, or for other inhumane purposes, or for the purpose of selling persons (National Assembly of Vietnam, 2011). Furthermore, Decree No. 62/2012/NĐ-CP issued by the Vietnamese Prime Minister on the 13th August, 2012 details grounds to identify trafficking victims according to Article 27 of the Anti-trafficking Act 2011. Accordingly, identifying a victim must be based on: documents or evidences supplied by the procedure-conducting bodies (of Public Security agencies, Ministry of Defence, Procuracy agencies and Court agencies); information or documents given by the organisations that rescued the victim; information or documents supplied by Vietnam’s representative organisations in other countries; documents supplied by foreign competent government agencies; statements and documents reported by alleged victims; statements made by those who committed the acts of recruiting, transporting, harbouring, transferring, receiving, selling or buying persons; statements or documents given by witnesses; or other legal information or documents (Vietnamese Prime Minister, 2012).

3.2.3 The criminalisation of human trafficking in Vietnam's criminal laws

Trafficking in women and children was criminalised in 1985 for the first time when the first Penal Code of the Socialist Republic of Vietnam was adopted by the Vietnamese National Assembly on 27th June in that year (hereafter referred to as the Penal Code 1985). According to Article 115, Trafficking in Women, of this legislation, anyone who traffics women shall be sentenced to between two and seven years of imprisonment, or between five and twenty years of imprisonment if the crime is committed under the following circumstances: (1) an organised way; (2) for selling women abroad; (3) trafficking in more than one woman; or (4) dangerous recidivism. In cases where the victims' ages are under sixteen years, the offender will be prosecuted under the crime of trafficking in children according to Article 149, Stealing, Trafficking in or Fraudulently Exchanging Children, which includes descriptions of three different crime (National Assembly of Vietnam, 1985). Yet there was no clear clarification of the term "trafficking in women" in the Penal Code 1985. In Resolution No. 04 of the Judges' Council of the People's Supreme Court on the Guidelines for Applying a Number of Regulations in Specific Crimes (hereafter referred to as Guideline No. 04), which was issued in 1986, there was only an explanation of the term "Trafficking in Children". Accordingly, "Trafficking in Children" in Article 149 of the Penal Code 1985 was to be understood as "the acts of buying or selling of a child for personal profit irrespective of the fact that the seller is a kidnapper or the child's parent" (Judges' Council of the People's Supreme Court, 1986). According to Le (2013a), this clarification means that trafficking in children shall mean the act of transferring a child or children from one person or group of people to the another in return for money, goods or other material benefits. Although these guidelines of the Judges' Council are only for "Trafficking in

Children”, this mode of understanding was also applied to the crime of trafficking in women over a long period of time (Hoang, 2008).

In 1999, the Penal Code 1985 was replaced by the new Penal Code 1999 in which the crime of trafficking in women was provided in Article 119, Trafficking in Women. The new provision kept the same punishment of imprisonment as the previous one in the Penal Code 1985, but removed the aggravating circumstance of dangerous recidivism, and added three new ones: trafficking for the purpose of prostitution; trafficking in a professional manner; and trafficking more than once. If the victim was under the age of sixteen years old, criminals would be prosecuted for the crime of trafficking in children according to Article 120, Trafficking in, Fraudulently Exchanging or Appropriating Children.

In 2009, the Penal Code 1999 was amended and replaced by the Amendment Penal Code 2009 which came into effect from 1st October 2010 onwards. Accordingly, there were two changes in the provisions pertaining to trafficking in human beings. Firstly, the name of the article is Article 119, Trafficking in Persons, so that victim recognition was extended to include men in addition to women. Secondly, one new aggravating circumstance was trafficking “for the purpose of taking the victim’s bodily organs”. The crime of trafficking in children (Article 120, Trafficking in, Fraudulently Exchanging or Appropriating Children) was also supplemented with the aggravating circumstance of “for the purpose of taking the victim’s bodily organs”. The crime of Trafficking in Children (Article 120) is different from the crime of Trafficking in Persons (Article 119) only because of the age of the victim. In addition, there are four aggravating circumstances stipulated in the crime of Trafficking in Children (Article 120) making it different from the crime of Trafficking in Persons (Article 119). These

include “for a despicable motive”, “for inhumane purposes”, “dangerous recidivism”, and “causing serious consequences” (National Assembly of Vietnam, 2009).

In 2013, an official explanation was given of how to understand human trafficking in Articles 119 and 120 with the promulgation of Circular No. 01, dated 23rd July, 2013, on the Guidelines for Criminally Prosecuting those who Commit the Crime of Trafficking in Persons, or the Crime of Trafficking in, Fraudulently Exchanging or Appropriating Children (hereafter referred to as Circular No. 01). Circular No. 01 was issued by the People’s Supreme Court, the People’s Supreme Procuracy, the Ministry of Public Security, the Ministry of Defense and the Ministry of Justice. Accordingly, the term “Trafficking in Persons” shall mean “the acts of using money, property or other material profits to swap a person (who is sixteen years old or above) as a type of commodity, applying to those: (1) selling a person (or persons) to another person, irrespective of the purpose of the buyer; (2) buying a person (or persons) in order to re-sell to another person, irrespective of who the buyer is and what the purpose of buying is; (3) using a person (or persons) as property to exchange or to pay for something; (4) buying a person (persons) for the purpose of exploitation or forced labour, or for other illegal purposes; and (5) being an organiser, instigator, or helper to those who commit one of the acts above, [who] will be criminally prosecuted under the crime of trafficking” (People's Supreme Court/People's Supreme Procuracy/Ministry of Public Security/Ministry of Defense/Ministry of Justice, 2013).

As the Penal Code and sub-law documents define human trafficking as an act of “selling” or “buying” in exchanging for a person, human trafficking is not only an organised crime but also a single offence without becoming a link in the chain of an organised crime. According to Anh et al. (2012), Vietnam’s Penal Code gives a broader provision on human trafficking, in which this crime is committed not only by organised

criminal groups, but individuals. However, flaws and limitations still exist in the trafficking-related laws in terms of different forms of human trafficking (Dang, 2004). In addition, the UNIAP (2011) points out that while Vietnam's Amendment Penal Code 2009 prohibits trafficking in women for prostitution, it does not clearly address the problems of trafficking for forced labour. The criminal code on human trafficking tends to be punitive rather than protective of the victims and it seems focused very much on trafficking for sexual services while not covering other forms of trafficking such as trafficking for forced labour, domestic work and begging (Dang, 2004).

Transnational trafficking occurs in both countries of origin and destination. The fight against the trafficking of Vietnamese women to China relies heavily on anti-trafficking policy and legal frameworks in both Vietnam and China. The next section examines the key policy and legal definition of human trafficking in China.

3.3 China's anti-trafficking policy and legal frameworks

Official annual figures for human trafficking in China are not sufficiently and systematically recorded (Shen et al., 2013). China officially began its fight against trafficking in women and children in 1991 with the Chinese Standing Congress's approval for the "Decision on Severe Punishment of Criminals who Abduct and Traffic in or Kidnap Women or Children" (Inter-Ministerial Agencies, 2010, Zhao, 2003). This document was followed by the passage of the amended Criminal Law (1979) in 1997, which criminalises the act of purchasing people who are trafficked.

In 2007, the Chinese government promulgated "China's National Plan of Action on Combatting Trafficking in Women and Children (2008-2012)" (hereafter referred to as the Plan of Action). This Plan of Action identifies that trafficking in women and children badly affects "social harmony and stability" and causes a series of social

problems (State Council of China, 2007: 1). It also points out that “new trends and characteristics of trafficking in women and children have now emerged” (State Council of China, 2007: 2). Accordingly, there is an obvious trend towards the involvement of organised crime and the growth of cross-border trafficking, while criminal methods are becoming more covert and sophisticated than before (State Council of China, 2007).

When the national Plan of Action came into effect from 1st January, 2008, one newly established government agency, called the “Inter-Ministerial Joint Conference System (IMCS) for Anti-trafficking in Women and Children” took responsibility for organising, coordinating, supervising, and guiding all relevant work concerning government agencies and socio-political organisations in China to combat trafficking in women and children (Inter-Ministerial Agencies, 2010). The Ministry of Public Security (MPS) was appointed as the leading agency, and the IMCS was chaired by a responsible person from this ministry. Importantly, the office of IMCS was set in the Criminal Investigation Department of the MPS and was in charge of day-to-day work. As for the mission of combatting the criminal activities of trafficking in women and children, the MPS was assigned to:

“resolutely combat the buyer’s market for crimes of trafficking in women and children” and in cooperation with other agencies to ban illegal labour services, marriage and other services and illegal networks of job brokers. Recruitment units or individuals that buy, introduce and force trafficked women and children to engage in the sex trade and other forced labour will be prosecuted for administrative, civil and criminal causes of action” (State Council of China, 2007: 9).

Finally, the national Plan of Action mentions international cooperation on anti-trafficking work to not only combat cross-border trafficking, but also to provide more support and assistance for trafficked women and children. To do so, cooperation with the relevant countries, especially in the Sub-Mekong region, would be increased through bilateral and multi-lateral mechanisms. Furthermore, anti-trafficking

cooperation with counterparts in neighbouring countries would be encouraged to exchange information, conduct joint projects, and manage effective entry and exit at the borders (State Council of China, 2007).

Presiding over the implementation of China's national Plan of Action for combatting trafficking in women and children (2008-2012), the Public Security Ministry of China issued "Opinions on fully implementing China's National Plan of Action on combatting trafficking in Women and Children (2008-2012)" in 2009. This document focused on establishing "Joint meeting" offices to combat trafficking in women and children (an inter-agency office) at ministerial and provincial levels, and assigning responsibility to every agency related to anti-trafficking. With regard to cross-border trafficking, this document states that:

"Public Security agencies of all levels should enhance the security of ports and borders and the management of border crossing, strictly enforce the examination and verification system for incoming and outgoing persons, strengthen the work to clean up illegal entry, illegal residence and illegal employment of foreigners, make timely discoveries of clues for cross-border trafficking, and carry out rescuing, repatriation and reception of rescued women and children" (Public Security Ministry, 2009: 5).

In the "Opinions on Severely Punishing Trafficking in Women and Children according to Law", issued in 2010, China's central law enforcement agencies stated that "It is important to eradicate the buyer's market so as to suppress trafficking in women and children from its root" (Inter-Ministerial Agencies, 2010: 4). Furthermore, public security bodies should file a criminal case of trafficking and initiate an investigation (in compliance with their jurisdiction) immediately when the following situations occur: (1) upon receiving a report, accusation or tip-off involving trafficking in women and children; (2) upon receiving a report of a missing child or a missing girl between the ages of fourteen and eighteen; (3) upon receiving a report of a missing woman of

eighteen years or above; (4) upon discovering a child vagrant or beggar who may have been trafficked; (5) upon discovering a purchase of women and children which will be investigated for criminal responsibility; and (6) other situations where trafficking in women and children may have taken place (Inter-Ministerial Agencies, 2010). To collect evidence about trafficking cases, this document also points out that:

“Special attention shall be paid to collecting proof of depositing and withdrawing money in the selling and buying of women and children, telephone call lists of suspects, transportation tickets, DNA identification of trafficked children, relevant surveillance video recordings, electronic information and other objective evidence” (Inter-Ministerial Agencies, 2010: 6).

The public security bodies are in charge of gathering all evidence in a timely way that can prove the guilt or innocence of suspects and the seriousness of the crime. Moreover, these guidelines mentions in regard to “Foreign crimes” that it is intended to “Strengthen bilateral or multi-lateral anti-trafficking exchange and cooperation internationally, and enhance the rescue work of transnational and cross-border trafficked women and children” (Inter-Ministerial Agencies, 2010: 11).

In China, the main legal instrument to prosecute traffickers is China’s Criminal Code 1997, although it mainly focuses on the criminalisation of the abuse of the victims as well as the identification of offences (UNIAP, 2011). In addition, the UNIAP (2011: 9) points out that “Victim identification procedures and victim protection rights are not covered in China’s Criminal Code”. In Article 240 of China’s Penal Code, it is clarified that: “Abducting and trafficking in a woman or child means any of the following acts: abducting, kidnapping, buying, trafficking in, fetching, sending, or transferring a woman or child, for the purpose of selling the victim” (China's State Council, 1997: 70). This provision thus criminalises the abduction and subsequent abuse and exploitation of women and children (UNIAP, 2011). Zhang (2012: 105) points out that there is a big

gap between the UN Trafficking Protocol definition which specifies exploitation as a “marker” of trafficking, and the meaning of “human trafficking” in China’s Penal Code 1997 which means “human abduction and sale”. Accordingly, if a person is abducted or trafficked but without being subsequently sold, this would not count as a trafficking case in China’s criminal code (Zhang, 2012). According to Zhao (2003), the difficulty in policing trafficking is that the intention to sell the victim after a list of the above-mentioned acts must be demonstrated, otherwise the trafficker is not deemed a criminal in accordance with this article. Moreover, in Article 240, although selling a woman or a child outside of the territory of China is considered such a serious circumstance that the offender can be sentenced to death for it, the situation when a foreign women is trafficked into China is less clear (China's State Council, 1997).

In addition, Article 241 of China’s Criminal Code also criminalises the act of buying abducted women or children, particularly when abuse and exploitation happens afterwards such as in forcing victims to have sexual intercourse, depriving them of their personal freedom, harming or humiliating them, or selling them to others (China's State Council, 1997). According to Zhao (2003), the prohibition against the purchase of trafficked women is an important step toward suppressing human trafficking because it aims at the demand for trafficked persons. However, this provision also stipulates that, if the purchaser does not know that the woman he buys has been trafficked, he would not be considered a criminal (China's State Council, 1997). Moreover, this provision also invokes the term the “personal freedom” of a woman, which creates legal uncertainty in a situation in which the police try to rescue a woman who is unwilling to be rescued or states that she has been trafficked or sold “voluntarily”, even with a “contract” with the buyer (Zhao, 2003: 14). In addition, China’s anti-trafficking criminal legislation has a loophole where buyers can be exempt from criminal liability if

they show no maltreatment of victims or resistance to police rescue efforts (Mengjie, 2015). The Chinese local authorities in the borderland areas with Vietnam may then manipulate the interpretation of the domestic criminal legislation to benefit the local economy:

“The manipulation of key concepts in part explains why most of the sex workers in Hekou’s Vietnamese Street are not perceived to be victims of trafficking. While almost all women working in Vietnamese Street would meet the definition of “trafficked victim” under the UN Trafficking Protocol, since actual selling and purchasing of women is rare in the markets, under Chinese Criminal Law, trafficking is not prevalent there” (Zhang, 2012: 106).

Article 244 of China’s Penal Code, which was amended in 2011, prohibits acts of compelling others to work by means of violence, intimidation or the restriction of personal freedom (UNIAP, 2011). Moreover, according to Article 358 of China’s Penal Code, anyone shall be punished with between five and ten years of fixed-term imprisonment, or even for life or given a death sentence in more serious cases, for acts of organising or forcing others into prostitution. Also, offenders may have property confiscated and face a fine. It is considered that “those forcing young girls under the age of fourteen into prostitution”, “those forcing others who were raped by them into prostitution” and “those causing severe injuries, death or other serious consequences to those who are forced into prostitution” are aggravating circumstances for which offenders may face more severe punishments such as life imprisonment or death sentences (China’s State Council, 1997).

According to Minkang (2008: 56,57), purchasing a trafficked woman as a wife usually happens in remote and poor rural areas where buyers are often village officials who are considered “model citizens in the enforcement of government policies”. Therefore, it is difficult to suppress these illegal acts due to the relationships between the police and these buyers. In fact, there is a false impression that it is legal to buy an abducted woman as a wife because the local official, who is also a relative of the buyer

in the village, often congratulates the buyer's family on a successful deal (Minkang, 2008). Moreover, Zhao (2003) suggests that most villagers would feel sympathy with unmarried men, so they do not condemn the trafficker and approve of the buyer. In addition, buyers of abducted women believe that they are also "victims" in cases the "purchased wife" is taken away in a rescue operation by police (Minkang, 2008: 57). The fact is that "When the police try to free the victims of trafficking activity, they frequently meet with violent resistance" (Zhao, 2003: 9). Although China's Criminal Law criminalises the act of purchasing an abducted woman, a lenient punishment is always applied to an offender due to him also being seen as a "victim" who has lost his money (Zhao, 2003). With regard to the sex industry, Minkang (2008) claims that buying sex is easy in China despite the government's effort to crack down on this illegal business. In addition, measures to suppress prostitution are enforced unevenly across China, and hence sex workers can move from one place to another to avoid being arrested (Liu, 2011).

In comparison with Vietnam's Penal Code, China's Penal Code provides more severe sentences, including the death penalty for human trafficking. According to the UNIAP (2011), both Vietnam's and China's approaches to cross-border trafficking adopt strong law enforcement-led stances. However, like Vietnam's Amendment Penal Code 2009, China's criminal law does not give a clear-cut definition of human trafficking, despite the fact that it clarifies the phrase "abducting and trafficking in a woman or a child" in Article 240 as mentioned above. In addition, many trafficking-related acts are prescribed in other provisions that are scattered in different articles of the Penal Code, and whilst China does not have a separate law specially on human trafficking, China joined the UN Trafficking Protocol in 2010 (UNIAP, 2011). As a result, the boundary between human trafficking and other crimes is vague (Zhang, 2012).

According to the UNIAP (2011: 12), the victim identification procedure is stipulated in China's many laws, regulations and policies. Nevertheless, the guidelines issued in 2008 by the Inter-Ministerial Office of Anti-trafficking and the Ministry of Public Security Criminal Investigation Division, outlined some procedures in working with cases of violations of the rights of women and children (UNIAP, 2011). Accordingly, the Chinese police receive a report from trafficking victims or their families and then open investigations (UNIAP, 2011). Subsequently, victims will be found and rescued, and all necessary details of the victims will be recorded and a request for verification will be made to the police in their place of origin (UNIAP, 2011). The police there need to respond within fifteen days with the results of the verification, and then the victims will be identified. In cases where the victim is a child, blood samples of the victim and his/her parents need to be taken for comparison to identify the relationship between them (UNIAP, 2011).

3.4 Anti-trafficking cooperation between Vietnam and China

In terms of regional and international cooperation in preventing and combating human trafficking, Vietnam along with China (Yunnan province), Myanmar, Laos, Thailand and Cambodia signed a Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Subregion in 2004 (UNIAP, 2004). In December 2007, China signed the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) Joint Declaration with Cambodia, Laos, Myanmar, Thailand and Vietnam to further extend cross-border collaboration. Furthermore, an anti-trafficking agreement was signed between Vietnam and China in 2010, in which key areas of cooperation between the two countries were established to strengthen measures in preventing and suppressing Sino-Vietnamese cross-border human trafficking. Nonetheless, the cooperation between the two countries is limited since there is the lack

of sufficient criminal and legal assistance to investigate and prosecute traffickers (Dang, 2004, Do and Dang, 2012).

With regard to Vietnamese victims of trafficking, Vu (2006) points out that in countries of destination, including China, there is a tendency to enforce only their punitive immigration law to deport the trafficked women instead of considering them as a victim of trafficking. This view is supported by Lee (2011), who criticises the restrictive migratory regime or border control systems for exacerbating the trafficking in human beings. According to Vietnam's Anti-trafficking Act 2011, international cooperation is stipulated in Chapter VII. Therefore, Vietnam will cooperate with other countries and international organisations to strengthen its legal capacity, communication and training in the fight against human trafficking. As for trafficking victims, the Vietnamese State will create favourable conditions for competent government agencies to cooperate with other relevant agencies of foreign countries in rescuing and protecting victims (National Assembly of Vietnam, 2011). Moreover, cooperation with other countries will be based on bilateral treaties that Vietnam signs with these countries or otherwise on the principle of reciprocity in compliance with domestic and national law as well as practice (National Assembly of Vietnam, 2011).

On the 27th of June 2001, Vietnam and China signed an Agreement on Cooperation in Preventing and Combatting Crimes and Maintaining Social Order and Safety. Accordingly, the crimes of trafficking in women and children are among crimes that would be focused on by the two countries (Vietnamese Government, 2001). Besides this, efforts would also aim at illegal entry and exit and human smuggling (or organising and leading persons to cross the border) between the two countries (Vietnamese Government, 2001). On the 15th of September 2010, in Beijing, Vietnam and China signed the bilateral Agreement on Strengthening Collaboration in Preventing

and Combatting Trafficking in Persons, and it came into effect from 14th March 2011. The Agreement concentrates on two key issues: victims (identification, protection, support and repatriation) and the joint investigation of transnational trafficking cases (trafficker extradition and information exchange) (Vietnamese Government, 2010). For the former, victim identification is based on criteria that will be jointly agreed by the two sides. However, due to differences in the penal codes of the two countries concerning the definition of trafficking, there has so far been no sign of joint criteria for trafficked victims that can be applied to both sides. Victim protection would be implemented in such a way that no punishment or sanctions would be imposed on the victim's acts of illegal entry or exit, or other illegal acts that are as a direct result of trafficking activities (Vietnamese Government, 2010). Measures needed to keep victims hidden and safe are also included. With regard to victim support, the two countries will provide victims, especially children and juveniles, with temporary shelter, legal assistance, health care and psychological counseling (Vietnamese Government, 2010). In addition, victims must be treated humanely and respectfully when they go through the victim identification process, temporary stay and the repatriation process (Vietnamese Government, 2010). Regarding the repatriation of victims, after the victim verification process they will be repatriated through official channels (Vietnamese Government, 2010). The repatriation process will be arranged by both sides and the receiving country will be informed in advance of the victim's name, age and other relevant information via diplomatic posts or police liaison officers (Vietnamese Government, 2010). Within thirty days after receiving the one side's request for victim verification, the other side must complete the verification of the victim's personal identification and nationality, and then the repatriation proceedings will be accepted and simplified by both sides (Vietnamese Government, 2010). One side must notify the

other side at least five working days in advance when transferring a victim. The repatriation of the victim will be implemented at the border gates by competent agencies and must be safe and timely (Vietnamese Government, 2010).

With regard to cooperation in jointly investigating a cross-border trafficking case, both sides agree to extradite traffickers, to hold joint training courses for the two countries' investigative personnel, and to exchange trafficking information (Vietnamese Government, 2010). In addition, both sides will build up a communication mechanism at the border to strengthen exchange and cooperation in the fight against transnational trafficking between the two countries (Vietnamese Government, 2010). The Ministries of Public Security of both sides are assigned as agencies that preside over the implementation of the Agreement. Annual meetings will be held in alternate countries, but in case of emergency, the two sides can discuss and arrange interim meetings (Vietnamese Government, 2010). The Agreement also stipulates that one side can refuse requests from the other if the trafficking requests are considered inappropriate according to the country's fundamental principles of national sovereignty, security, public order, core interests or domestic laws (Vietnamese Government, 2010). Additionally, this Agreement does not affect the rights and obligations of the two countries in implementing other multi-lateral signed conventions (Vietnamese Government, 2010).

With regard to the orders and procedures of victim receipt and verification, there is also a legal difference between the two countries. On the Vietnam side, according to Articles 24, 25 and 26 of the Anti-trafficking Act 2011, the orders and procedures of victim receipt and verification shall be applied to victims who fall into three categories: (1) victims who are domestically trafficked; (2) victims who are rescued; and (3) victims who had returned from abroad, including: returnees through overseas Vietnamese representative agencies, returnees through bilateral agreements between

Vietnam and foreign countries, and self-returnees (National Assembly of Vietnam, 2011). Therefore, victims who were trafficked to China may be rescued by Vietnam's police or border guards, or returned according to the bilateral agreement between police on both sides, or self-returned. In all cases, the local police where the victims permanently resided before the incident, will be in charge of verifying their status if necessary (MPS-MOD-MOLISA-MOFA, 2014). The Divisions of Labour, War Invalids and Social Affairs at the district where victims declare their status or had been rescued, will have responsibility for verifying the victim's identity in cooperation with police at the district level and to support the victims in order to comply with the Anti-trafficking Act 2011 (MPS-MOD-MOLISA-MOFA, 2014). In cases where law enforcement agencies (police and border guards) find any signs of trafficking, they will initiate an official investigation into the incident (MPS-MOD-MOLISA-MOFA, 2014).

The anti-trafficking policy and legislation of Vietnam and China create the legal grounds upon which law enforcement agencies of both sides can prevent and combat the trafficking of Vietnamese women to China. In addition, the anti-trafficking cooperation between the two countries also facilitates investigations into trafficking incidents. The next section will review the investigative approach and the literature of trafficking investigation in the context of the trafficking of Vietnamese women to China.

3.5 Investigation into trafficking incidents in the context of the trafficking of Vietnamese women to China

The ways that police forces intervene in trafficking incidents include reactive, disruptive or proactive approaches.

“Reactive responses are those where there is a complaint from a victim and action is taken swiftly to protect her and possibly others. Disruptive responses take place when there is not enough evidence to mount a case, but actions can be taken using health and safety/fire regulations to interfere with the “smooth” running of certain businesses. The pro-active response is intelligence led and

includes an investigation in the hope that a prosecution can be mounted” (Kelly and Regan, 2000: 33).

The proactive framework for anti-trafficking in women means that law enforcement should not wait for victims to come forward with information and expect them to give evidence against traffickers (Kelly and Regan, 2000). However, according to Gallagher and Holmes (2008: 332), “Victims have a critical role to play in the criminal prosecution of traffickers and their accomplices. In fact, as noted above, investigations and prosecutions are usually difficult and sometimes impossible without the cooperation and testimony of victims”. They also argue that “Even when assured of protection and support, many victims will be unwilling to cooperate in legal proceedings that are unlikely to benefit them in any meaningful way” (Gallagher and Holmes, 2008: 334). Anh et al. (2012) claim that it is impossible to prosecute traffickers if no human trafficking victims can be identified, so the explanation of the term “victim” in anti-trafficking law is crucial in preventing and combatting the trafficking of persons. According to Gallagher and Holmes (2008), the criminal justice system must encourage trafficked victims to assist in criminal investigations by dealing with fear of harm to themselves or their families.

Kelly and Regan (2000) argue that, whilst trafficked women are considered by police to be victims of crime and potential witnesses, the immigration agency views them as illegal migrants and potential deportees. There is a tendency to conflate counter-trafficking strategies with asylum and immigration controls (Morawska, 2007). In addition, Lee (2011: 153) holds that: “The politics of trafficking control is inextricably linked to the politics of sovereignty, security and border protection”. Nonetheless, there may not be many differences between the stories of trafficked women and those women who crossed the border illegally (Spencer, 2011). The status

of those women may actually be reliant on the definitions applied by those who provide services or enforce the legislation (Spencer, 2011). Illegal migrants are not victims, but violators of immigration legislation (Lee, 2011). The strict border controls which restrict legal entry into countries of destination generate favourable opportunities for criminals to earn proceeds from the illicit market in human trafficking and smuggling (Aronowitz, 2009).

Wang (2005: 19) claims that “In China, officially, the trafficked victims are illegal migrants under Chinese laws. Most victims of trafficking are considered as criminals and are treated as illegal aliens who should be sent back to their country”. According to Dang (2004), despite the cooperation of law enforcement agencies between Vietnam and China in terms of exchanging criminal information and friendly visits, the issue of human trafficking has been mixed up with those of illegal migration and the violation of border rules and this makes it very difficult to raise the problem of trafficking properly in transnational collaboration.

Based on Vietnam’s Penal Code and its sub-law documents, acts of buying or selling a person by using money, property, or other material profits, are mandatory components of human trafficking. Vietnam’s Penal Code and its guidelines do not address the means of the trafficking. Yet, in any trafficking incident, the investigators need to demonstrate that the suspected trafficker gets a “personal profit” (including money, goods or other material profits) in return for transferring or receiving the victim (Le, 2013a). In other words, it is compulsory to prove that the awareness/perception of the trafficker is for “personal profit” through the acts of selling or buying of victims (Nguyen, 2013a). Apart from the acts of selling and buying of the victims, which are directly stipulated in the crime of Trafficking in Persons in Vietnam’s Amendment Penal Code 2009, other criminal acts relating to trafficking such as the unlawful

detention or maltreatment of victims, are stipulated in other crimes. Therefore, “[s]uccessful human trafficking prosecutions to date have been heavily dependent upon the analytical deconstruction of the offender’s acts in order to identify actions deemed criminal, and penalties are delegated for each criminal act committed” (UNIAP, 2011: 7).

With regard to the victim’s consent, Le (2013a) claims that the existence of the victim’s consent to the trafficker is not a necessary element of human trafficking in the criminal legal system of Vietnam. This means that even though the victim consents to be trafficked, the trafficker may be prosecuted on the ground of Article 119, Trafficking in Persons, if there is an act of selling a victim. In addition, trafficking in persons as well as trafficking in children can overlap with other crimes stipulated in the Amendment Penal Code 2009 such as the crime of prostitution brokerage in Article 255⁶ and the crime of organising and/or coercing other persons to flee abroad or to stay abroad illegally in Article 275 (Le, 2013a). All of the above-mentioned crimes, legal violations and human trafficking involve the same act of swapping persons for money or other material profits (Le, 2013a). With regard to transnational trafficking, Nguyen (2013c) points out that law enforcement personnel always face difficulties in distinguishing between the act of trafficking in persons and the act of smuggling in persons (or organising or coercing persons to flee abroad illegally according to Article 275 of the Amendment Penal Code 2009) because both traffickers and smugglers aim at “personal profit” by bringing people across the border. In reality, the act of transnational trafficking in persons often goes hand in hand with acts of organising or coercing other

⁶ According to Article 255 of the Penal Code 1999, prostitution brokerage is a crime in which a sex worker and a client are brokered by a third party who aims at personal profit from both sides. The third party or broker often receives money from sex buyers, so that this crime is similar to the act of selling a trafficking victim for money unless the consent of the sex provider is identified. According to Le (2013c), the difference between human trafficking and the crime of sex brokerage (by a third party) is that whilst in the former, the purpose of sexual exploitation is against the victim’s will (she does not want to sell sex), in the latter, she is willing to be a sex worker and she is not a victim.

persons to flee abroad or to stay abroad illegally, and the acts of making and using false documents for the entry to or exit from the country (Nguyen, 2013c). Although these acts may be considered as crimes that are stipulated in the Amendment Penal Code 2009, the traffickers are not always convicted of these crimes apart from human trafficking (Nguyen, 2013c). Despite the fact that trafficking victims may breach the laws on trafficking-associated issues such as crossing the border illegally, and producing false documents, neither the Amendment Penal Code 2009 nor the Anti-trafficking Act 2011 stipulate whether they could be exempt from criminal liability.

The victim of crime in general is stipulated in the Criminal Procedure Code 2003, which prescribes the orders and procedures for justice agencies to deal with any criminal case. According to Clause 4 of Article 51, Victims, if victims “refuse to give testimony without plausible reasons, they may bear penal liability according to Article 308 of the Penal Code” (National Assembly of Vietnam, 2003: 17). In addition, victims must also appear in response to the summonses of investigation bodies, procuracies or courts (National Assembly of Vietnam, 2003). Nevertheless, in many cases, although the traffickers have been arrested, the investigators cannot identify where the victims are, or whether they are alive or dead (Nguyen, 2013a). Instead of the victim, the victim’s representative can be present at the court, but the representative does not have the same rights as the victim such as to appeal the judge’s decision at the court unless the victim is confirmed to have died before the court session (National Assembly of Vietnam, 2003). In addition, Article 6 of the Anti-trafficking Act 2011 provides that trafficked victims have legal obligations to give information on trafficking-related violations to law enforcement agencies’ requests regarding the trafficking incident (National Assembly of Vietnam, 2011). Therefore, Hoang (2015) argues that the victim identification process is often carried out for the purpose of detecting and prosecuting

traffickers. However, in the area of human trafficking, victims often feel reluctant or reticent, or even flatly refuse to report to police or testify against traffickers, because they are frightened of being stigmatised or traumatised again (Nguyen, 2013a).

In terms of legislation and law enforcement practice, the definition of human trafficking in Vietnam (and China) mainly focuses on trading in human beings (Kneebone and Debeljak, 2012, Liu, 2015b). Therefore, the price of trafficked persons is always mentioned in trafficking cases. According to Hoang (2008), the approach of Vietnam's Penal Code to human trafficking, which is based on acts of buying and selling, and for the purpose of personal benefits, can theoretically permit law enforcement agencies to prevent and combat this crime at the early stages. However, Hoang also claims that the inclusion of "personal profit" as an integral part of the crime of human trafficking makes it confusing for investigation bodies to demonstrate the crime when handling trafficking cases where the acts of receiving or generating profit are vague (Hoang, 2008: 11, 12).

On the Chinese side, due to the definition of trafficking in criminal legislation, the Chinese police only focus on the trade in women (selling or buying) and/or abduction of women with intent to sell them as a sign of trafficking (Mengjie, 2015, Mu, 2011, Mu, 2015, Tian, 2015a, Tian, 2015b). Moreover, anti-trafficking campaigns are often presented as anti-abduction ones and focus on the trafficking of women and children for forced prostitution (Mengjie, 2015, Wang and Pan, 2013, Zhang, 2011, Zheng and Zhang, 2011). In rural China, there are prevailing attitudes that there is nothing wrong with the act of buying or selling a woman (Gil and Anderson, 1998). Buying wives is a common practice which fosters kidnapping and trafficking in women (Jiang and Sanchez-Barricarte, 2013, Mu, 2011, Zhang, 2014). According to Minkang (2008), Chinese men in remote and poor rural areas who buy women as wives are often

local officials of the villages and good citizens in enforcing government policies. They also get on well with the local police officers who are responsible for combatting human trafficking. Moreover, Zhao (2003) claims that there is a village culture of sympathising with unmarried men, so people buying women can be protected by villagers. Additionally, all Vietnamese brides who are smuggled into China are considered illegal migrants and are deported back to Vietnam (Liu, 2015b), while Vietnamese sex workers in China are considered as “capable and scheming gold diggers” rather than innocent victims who are deceived into sexual exploitation (Zhang, 2012:105).

3.6 Conclusion

This chapter has discussed policy and legal frameworks concerning anti-human trafficking according to Vietnam’s laws, China’s laws and the bilateral agreements of the two sides. It focused on arguments about the key anti-trafficking policies and criminal provisions of each country that can be used to prosecute human traffickers. The legal framework for anti-trafficking cooperation between the two countries was also examined. Finally, the literature on trafficking investigation in the context of trafficking of the Vietnamese women to China was reviewed. The next chapter focuses on the methodology of the study, outlining how data collection was decided upon and how the data were gathered and analysed. Chapter 4 also discusses the ethics and limitations of the study.

CHAPTER 4

METHODOLOGY

4.1. Introduction

This chapter justifies and addresses the multi-faceted approach used to gather and analyse primary and secondary data which was chosen to answer the research questions. Firstly, it discusses how the methodological approach adopted in this study was selected. Secondly, the chapter describes how the qualitative data collection was conducted in this study, including sampling, interviews, data analysis, and ethical considerations. Thirdly, the chapter describes how quantitative analysis was utilised in this study and how eight final investigation reports were analysed. Finally, the limitations of the research are discussed.

4.2 Methodological approach to the study

The clandestine nature of human trafficking makes it difficult for researchers to conduct investigations into this phenomenon, even with the support and assistance of law enforcement agencies (Calandruccio, 2005). According to Calandruccio (2005: 288) “Data on the profile of trafficking perpetrators is even more difficult to obtain than of the victims”. Cwikel and Hoban (2005) hold that, in trafficking research, primary data is difficult to gather and they recommend using creative methods and multiple data sources to provide a portrait of trafficking and to increase the validity and reliability of the data:

“The situation is reminiscent of the story of five blind men trying to describe an elephant. Each one touches the animal in a different place: the flexible trunk, the smooth tusks, the huge, rough flank, the stocky legs, and the spiky tail. Each provides a completely different verbal report of what they feel, and yet no one alone can adequately describe what the elephant is really like. Combine the stories, the descriptions, the numbers, and the calculations and the real picture of trafficking will emerge” (Cwikel and Hoban, 2005: 315).

This view is supported by Adepoju (2005: 89) who claims that, due to the complicated nature of human trafficking, a single research methodology is insufficient to analyse the phenomenon and “a battery of methods is desirable both to capture the diverse sources, causes, and dynamics of trafficking and to ensure that research findings can be generalized”. Moreover, Andrees and van der Linden (2005) hold that the gaps of one research method may sometimes be compensated for by the strengths of another method in order to depict trafficking comprehensively. Additionally, Meshkovska et al. (2015: 392) suggest that: “There are certain sources of information and methodologies of research that have not been fully utilized, such as criminal investigation reports in the possession of the police and social-network analyses”.

With regard to human trafficking research, methodological problems are often not explicitly discussed (Brennan, 2005, Tyldum and Brunovskis, 2005). Kelly (2005) points out the various methodological challenges, including a lack of discussion on how data collection methods are used and the unreliability of official statistics and estimates of the number of trafficking victims and offenders. Kleemans (2011) claims that most current studies on human trafficking still mainly aim to describe trafficked victims in terms of who they are and what makes them vulnerable. In addition, while the true numbers of trafficking victims at international and national level are unknown (Weitzer, 2014), the problem of human trafficking is serious and mounting as “both demand and supply for people are rising” (Shelley, 2010: 4). The claims that human trafficking is a growing problem, or one of the most widespread types of crime, are unsubstantiated as it is impossible to precisely measure the scale of profit in the illicit and clandestine economy or the number of criminals involved (Weitzer, 2014).

According to Tyldum (2010), it is necessary to conduct narrowly defined, thematically specific studies rather than large-scale global ones which just aim at

estimating the number of trafficking victims. Sound small-scale empirical studies are necessary as they can give better insights concerning actors' lived experiences, thereby providing a concrete evidence-based grounding for anti-trafficking policy development (Weitzer, 2014). Ideally, the reliable findings of thematically defined studies in different localities can be globally aggregated to reveal patterns of human trafficking at regional and international levels (Tyldum, 2010).

As outlined previously, the main objective of this study is to gain insights into the push and pull factors in the trafficking of Vietnamese women from Vietnam to China, and the relationships between these factors which creates the contemporary pattern of the trafficking in women from Vietnam to China. Additionally, the study also aims to examine the challenges facing professional investigators given the current counter-trafficking policy and legal frameworks of both Vietnam and China. To achieve the above-mentioned main objective, data has been collected from different sources, both primary and secondary.

4.3 Qualitative data collection

4.3.1 Qualitative approach

Due to the illegal and hidden nature of human trafficking, it is notoriously difficult for researchers to access interviewees such as trafficked victims and traffickers to gather data, especially qualitative data (Kelly, 2005b, Martynowicz et al., 2010). Tyldum (2010) points out that trafficking victims who have been identified by the police and received assistance from the programmes of government agencies or NGOs are particularly appropriate for trafficking research as they are identifiable and accessible for researchers to conduct interviews and, more importantly, victims can have recourse to the assistance of shelter personnel if necessary. One challenge facing researchers here

is that these victims are widely scattered, while the researchers are often constrained by limited time and resources (Brennan, 2005). Furthermore, Andrees and van der Linden (2005) hold that random sampling in trafficking research is virtually impossible mainly due to the fact that trafficking affects a small and elusive population and because of the hidden nature of the crime. Therefore, it is almost impossible to establish a sampling frame and draw a representative sample of the victim population (Tyldum and Brunovskis, 2005).

This study draws on the lived experience of anti-trafficking professionals and trafficked victims to answer five key research questions: What are the push and pull factors for the trafficking of Vietnamese women to China? What is the pattern of the trafficking of Vietnamese women to China created by push and pull factors? How do law enforcement personnel detect trafficking incidents? What challenges do investigators face in dealing with the trafficking of Vietnamese women to China? and What should be done to prevent and combat the trafficking of Vietnamese women to China? These research questions are answered by the analysis of data collected through semi-structured interviews with a number of anti-trafficking law enforcement personnel and trafficking victims in Vietnam. The anti-trafficking personnel are police officers who have responsibility for detecting and investigating all trafficking cases including the internal and transnational trafficking in human beings (National Assembly of Vietnam, 2011).

Over the course of the fieldwork, observations were also conducted of the process used by counter-trafficking professionals to interview trafficked victims in order to obtain their statements against traffickers. These observations helped in gaining a deeper understanding of what had happened to the trafficked victims and the difficulties and challenges facing investigators in the process of working with them. Trafficking in

Vietnamese women to China is related to border crossing, and so observations were also conducted at two locations on the border where trafficking investigators have found that traffickers often take victims into China.

4.3.2 Sampling

4.3.2.1 Counter-trafficking professionals

With regard to this group of subjects, a sample was selected in accordance with both extreme and typical cases. Ha Noi, Yen Bai, Lang Son, Lao Cai and Quang Ninh were selected as localities for fieldwork because they were hotspots of trafficking detection by law enforcement officials and they were identified as key routes for human trafficking from Vietnam to China (MPS, 2013a). Those typical routes are also reported by UNIAP as shown in Figure 4.1 below.

Figure 4.1 Fieldwork-conducted localities which are marked with blue ticks



Source: United Nations Inter-Agencies Project on Human Trafficking (UNIAP, 2015)

Apart from the five listed localities above, I also looked for potential participants at the Division for Human Trafficking Prevention and Suppression which is part of the Department for Investigation into Crimes against Social Order, a ministerial agency of the Public Security Ministry, which is responsible for investigating and coordinating human trafficking prevention and suppression in all localities across Vietnam. Twenty-four participants were selected for interview. At the provincial level, interviewees were counter-trafficking investigative officers who had practical experience in investigating cases of trafficking in Vietnamese women to China. The numbers of interviews conducted are presented in table 4.1 below.

Table 4.1: Numbers of counter-trafficking investigative professional interviewees categorised by locality

Locality	Division for Human Trafficking Prevention and Suppression	Ha Noi	Yen Bai	Lao Cai	Lang Son	Quang Ninh
Number	5	2	2	7	6	2

To gain access to law enforcement agencies at both central and local level, I used introductory letters provided by the People's Police Academy where I work, and a Decision of the 165 Programme which finance my PhD study, to be granted permission to work with counter-trafficking investigative officers. By introducing myself as a researcher who wanted to investigate the push and pull factors of trafficking in Vietnamese women to China, and the challenges faced in tackling the problem, all officers I met were interested in this topic and willing to share their experience on these issues. Their support might also be attributed to my position as a lecturer specialising in policing policy and practice, who they felt was trustworthy and thus they could share

their experiences and perspectives. As planned, I first met leaders of the team in charge of dealing with trafficking cases, including those involving Vietnam and China. The meeting with team leaders helped me to obtain an initial understanding about their teams' personnel structure and who had experience with trafficking cases. Based on my suggestion, the team leaders introduced me to different officers who met the criteria of being experienced professionals.

My fieldwork first started at the Division for Human Trafficking Prevention and Suppression in the Department for Investigation into Crimes against Social Order where I conducted five interviews. Next, I continued the fieldwork at Ha Noi where I conducted two interviews. From Ha Noi, the capital of Vietnam, there are many ways to reach the border posts with China in the provinces of Lao Cai, Lang Son and Quang Ninh. These locations can be reached by bus or train which takes about five to ten hours depending on the type of transportation and destination. Anti-trafficking law enforcement personnel consider Ha Noi as a locality that traffickers transport victims through from many inland localities, particularly in the central and southern provinces. Moreover, Ha Noi also attracts a huge number of migrants from other provinces, especially rural areas, and it has been identified as a hotspot of human trafficking. Yen Bai was the next locality for my fieldwork where two interviewees agreed to take part. This is an inland province which does not share a border with China, but it neighbours the frontier province of Lao Cai. There are roads and a railway reaching the international border gate of Lao Cai from Ha Noi that goes through this locality. The final three localities for my fieldwork were three provinces which share a border and have three international land border gates to the provinces of Yunnan and Guangxi in China. Those three provinces are always among the localities that had the highest numbers of detected trafficking cases over the period 2004-2010 according to the

National Action Program on the Prevention and Suppression of Trafficking in Women and Children (SB, 2009). In the National Action Program on the Prevention and Suppression of Human Trafficking over the period 2011-2015, as approved by the Vietnamese Government on 18th August, 2011, those provinces were identified as hotspots on the Vietnam-China border route (Public Security Ministry, 2013). I recruited seven, six and two participants in Lao Cai, Lang Son and Quang Ninh respectively.

4.3.2.2 Trafficking victims

In this study, the sampling of trafficking victims is based on convenience, due to their identification by anti-trafficking investigative personnel. Those trafficked victims had been referred to the Social Welfare Centre of the province of Lao Cai and spent a numbers of days there getting assistance from the government's trafficking victim support scheme while criminal proceedings were initiated against their traffickers. I obtained consent for interview from seven trafficked victims who had been rescued by Chinese or local police and were staying in the Social Welfare Centre of Lao Cai. Having been identified as trafficking victims, they were entitled to stay in the Social Welfare Centre of the local province for a limited number of days before going home⁷ (National Assembly of Vietnam, 2011). Among the seven trafficking victims who consented to be interviewed, three had been rescued just before crossing into China and four of them had actually crossed the border.

⁷ According to Article 26, Receipt and verification of victims who returned from abroad, of the Anti-Trafficking Act 2011, approved by the Vietnam National Assembly of Vietnam on 29/3/2011 which came into effect on 1/1/2012).

4.3.3 Interview process

4.3.3.1 Counter-trafficking professionals

With respect to interviews with anti-trafficking professionals, it was noticeable that they were often busy at work and had limited time. Thus, I took advantage of their free time to conduct the interviews. The interview sessions with counter-trafficking police officers were arranged soon after permission to be interviewed was given by the interviewees. The interviewing venues included the offices where the interviewees were working and cafés in cases where the interviewees agreed to such a locale. Five interviews in total were undertaken in different cafés which were chosen or accepted by the participants. To ensure that the interview was not influenced by other customers, I chose private and quiet tables well apart from others. In regard to the timing of interviews, three interviewees agreed to be interviewed in the late afternoon after their shift, while the rest preferred Saturday morning interviews when they had time off work. The interviews in cafés were conducted in a friendly and comfortable environment where interviewees felt free to share their experiences, attitudes and perspectives concerning the questions posed. With regard to the 19 interviews conducted in the participants' offices, the interview schedules were suggested by me and accepted by the interviewees in advance. Some interviewees explained that they were busy and the interview would have to be conducted in their offices. These participants also preferred being interviewed in their offices because the interviews could not then be influenced by anyone else.

For all 24 interviews with counter-trafficking professionals, I commenced conversations with them by explaining that the purpose of the research was to explore the push and pull factors of trafficking in Vietnamese women to China and the challenges facing them in conducting trafficking investigations under the current legal

framework. Definitions of push and pull factors were introduced to all interviewees. In addition, every interviewee was also given examples of push and pull factors selected from the trafficking literature: poverty in the country of origin and demand for cheap labour in the country of destination respectively.

Next, the concept of informed consent was explained to the interviewees, which included their right to withdraw from the interview at any point in time and the fact that their anonymity would be maintained in the data presented in the thesis. All participants were asked to sign consent forms or give verbal acceptance to be interviewed. Twenty-one participants orally consented to the scheduled interview but did not want to sign the consent form, while the other three of the total of 24 interviewees signed the consent form. Next, I asked participants for their permission to record the interviews using a Sony MP3 Recorder. At the beginning there were some subjects who did not want their answers to be recorded. I explained that the recording was going to be used for transcription only and would be securely stored in compliance with the information in the consent form and the research ethical protocol. It was accepted that opinions and attitudes did not necessarily represent the views of the government or local authorities. Finally, they all gave me permission to record the interviews.

In the course of the interviews with counter-trafficking officers, the topic guide led the conversation, although many follow-up questions were asked following the answers of the respondents. The topic guide revolved around questions of push and pull factors, and the challenges and difficulties confronting anti-trafficking law enforcement personnel in the battle against the trafficking in Vietnamese women to China:

- What factors create migration pressure on Vietnamese women and make them vulnerable to being trafficked?

- What factors create incentives to impel Vietnamese women to leave their home and make them vulnerable to being trafficked?

- What factors make Vietnamese women accept the traffickers' offers to travel with them?

- What factors in China draw Vietnamese women to migrate there and make them vulnerable to be trafficked?

- What factors in China provide opportunities for criminals to traffic people from Vietnam?

- How are the push and pull factors connected to each other to create incidents of trafficking in Vietnamese women to China?

- In what way do you often detect cases of trafficking in Vietnamese women to China?

- What challenges do you face in working with victims of the trafficking of Vietnamese women to China?

- What challenges do you face in building up evidence for trafficking cases in accordance with current legal frameworks?

- What challenges do you think exist in cooperating with China to combat the trafficking in Vietnamese women to China?

Before the interviews, the informants were also told that the duration of the interview could be from 30 minutes to more than one hour. This was based on the calculation of the time needed to answer the questions in the topic guide and possible follow-up questions. I also practised the interview with two colleagues who had a certain amount of knowledge of human trafficking and the average duration of a single

interview was more or less one hour. In reality, the longest duration of a single interview was 81 minutes and the shortest one was 37 minutes.

4.3.3.2 Trafficking victims

Due to the use of convenience sampling with trafficking victims, I relied on the trafficking victims available at the Social Welfare Centre in Lao Cai and, of course, the support of local police officers and members of staff of the Centre. The number of trafficking victims at the Centre fluctuated, depending on the return of victims from China and their detection by local police. Most victims wanted to go home after being rescued by local police or repatriated from China, so at one point in time there were no victims there. I spent two weeks in Lao Cai from 31st July to 16th August, 2015, and in that period of time, there were eight victims at the Centre. Unfortunately, on the same day I arrived, one trafficking victim left the Centre, and therefore I lost the chance to interview her. The seven trafficking victims I interviewed were referred to the Centre at three different times. The first time included three victims in a group rescued by the local police who were tipped off by a passenger on the same long bus ride with the victims from Ha Noi to Lao Cai (those victims came to Ha Noi from the province of Nghe An and were told to take another bus from Ha Noi to Lao Cai). These first three trafficking victims had not crossed the border yet. The second time was another group of three victims who had crossed over the land border from the district of Muong Khuong into China, but they had managed to escape successfully back to Vietnam before being taken further into China. When reaching Vietnam, they had been referred to the Social Welfare Centre for assistance and to have the trafficking investigation conducted by the local police. The third time was a trafficked girl who had been sold to a brothel in China. This brothel had been raided by the local Chinese police. She and a number of other Vietnamese sex workers found in the raid had been sent to a detention

centre during the investigation by the local Chinese police. Then, she was found to be in the early weeks of pregnancy and was repatriated by Chinese police as a trafficking victim, while the other Vietnamese sex workers were waiting for their status to be decided. After repatriation, she was sent to the Centre for assistance and for the investigation to be conducted by local police.

After being told by the local police about these trafficking victims, I was advised by one officer to come to the Centre. Thanks to the good relationship between members of staff of the Centre and the local counter-trafficking police, I received their support in arranging initial talks and interviews with trafficking victims. I was given the privilege of using a small room where I conducted interviews with the victims without interference. The interviews with the seven victims were held on three different days: on the first day, interviews with the first three victims were held; on another day, interviews with the second three victims; and on the last day, the interview with the final victim. This was because even though there were seven victims, only three trafficking incidents were involved. I was introduced to the victims by both members of staff of the Centre and the police officer. I told them that the purpose of my research was to understand how and why they were trafficked to China and therefore to help to improve policy and criminal law on preventing and suppressing the trafficking in women from Vietnam to China. Tyldum (2010) suggests that it is imperative for a researcher to build trust and rapport with interviewees who are trafficking victims. Therefore, in initial talks with the victims, I tried to express my sympathy with their circumstances and create a friendly and comfortable atmosphere between them and me. They were told that they could refuse to answer any question and stop the interview at any time if they wanted. In addition, if they so desired could ask a member of staff or other victim to be present in the interview. However, no victim chose this option. Next,

the informed consent forms were offered to victims to sign after I had explained to them that the data were going to be stored securely and used for the research only and that their identities were also going to be made anonymous in any report and publication later. All seven victims verbally consented to the interview although only two of them signed the form. They all also agreed that the interview could be recorded using the Sony MP3 Recorder. In the course of the interviews with trafficking victims, I followed the carefully prepared topic guide while avoiding using words for follow-up questions that might offend the victims. The topic guide focused on the main issues involved and the questions were as follows:

- The living conditions and circumstances of the victim before being trafficked: Can you tell about your life before the situation? How did you earn your living before the situation? Did you want a better job? Did you know you were going to China?

- The reasons why they travelled with recruiters: Why did you decide to move? What did the recruiter offer you before you moved? Why did you accept that offer?

- The trafficking process: How did the recruiter arrange your trip? What means of transportation did you use in your trip? What happened during your trip? What type of work were you asked to do? When did you know you were being trafficked? What happened to you next?

4.3.4 Data analysis

To analyse the data from interviews conducted with anti-trafficking investigative police officers and trafficking victims, a multiple-stage process of qualitative data analysis was used. Firstly, all 31 interviews were transcribed into 31 transcripts in Vietnamese which are stored securely on my own laptop. Secondly, I analysed the two groups of transcripts separately but in the same way. Accordingly, I read through the transcripts

several times to get an overview of the data. When familiar with the data, I applied a number of key themes, including the background of trafficking victims; the victims' willingness to migrate; the thriving sex industry in China and the serious gender imbalance there; the demand for cheap labour; false promises made by recruiters; the establishment of trafficking networks between China and Vietnam; the establishment and development of trafficking networks from China into Vietnam; the ex-victim-become-trafficker cycle; and Sino-Vietnamese border crossing. These themes relate to the examination of push and pull factors and their connections. Under these key themes a significant number of sub-themes were developed. For example, the key theme "the background of trafficking victims" was developed into sub-themes such as coming from an ethnic minority or rural area, a low level of education, being unemployed or being indebted and looking for a job, living in poverty, wanting to support parents or wanting to marry a foreign husband, family breakdown, being abandoned by boyfriends, lack of family care and wanting to experience adventure.

Another set of key themes concerning the challenges facing anti-trafficking law enforcement personnel in conducting trafficking investigations was found. These themes include: detection of trafficking in Vietnamese women to China; working with trafficking victims in the investigation process; building up evidence in accordance with the criminal legislations; and challenges in cooperation with China to combat trafficking. A number of sub-themes were developed from this group of key themes. For example, the theme "working with trafficking victims in the investigation process" was elaborated into three sub-themes: the crucial role of trafficking victims in trafficking investigation; identification and rescue of trafficking victims; and encouraging victims to testify against the traffickers. The key theme "building up evidence in accordance with the criminal legislations" was divided into three sub-themes: gathering evidence to

prove the trafficker's acts of selling or buying victims; proving the purpose the cross-border trafficking of victims to China; and funding and workload challenges. With regard to trafficking victims, the main themes that emerged consisted of the circumstances and living conditions of the victims; the way they agreed to migrate with recruiters, and the trafficking process.

4.3.5 Ethical considerations

4.3.5.1 Consent of the interviewees

According to Cwikel and Hoban (2005), informed consent means that participants are capable and independent enough to deliver consent voluntarily and they must be given sufficient information concerning benefits and risks and the usage of the data collected. In this study, informed consent was offered to all interviewees, who were capable of giving their consent voluntarily. With regard to the 24 counter-trafficking professionals, they were law enforcement officers at the time of interview and they were willing to share their own lived experience and perspective about the fight against trafficking in Vietnamese women to China regarding the push and pull factors and challenges confronting them in the process of investigation. The consent form they received addressed their rights to refuse to answer any question from the interviewer and to withdraw at any time during the interview. In the course of all interviews, although no one wanted to stop, there were a number of questions they avoided answering in order to ensure the secrecy of ongoing investigations or because of politically sensitive aspects of follow-up questions.

Trafficking victims were also told that they could refuse to answer any question. And because the interviews took place at the Social Welfare Centre, they could ask for immediate assistance from a member of staff. All of them nodded their heads to express

agreement and give consent. None of the victims were familiar with signing official documents because they had lived in different rural areas and did manual work, so they were reluctant to sign the consent form. When they were told that it was fine if they agreed verbally, five of them chose this mode. Cwikel and Hoban (2005) suggest that it is acceptable to obtain either signed consent forms or verbal consent.

4.3.5.2 Trust and respect between interviewer and participant

Developing sufficient rapport with interviewees is very important in research into human trafficking (Andrees and van der Linden, 2005). In this study, I tried to use my strengths regarding ethnicity, native language and my good relationship with counter-trafficking police officers to build up rapport with interviewees. In interviews with counter-trafficking police officers, good rapport had been established from the first meetings through the introduction letter and my knowledge of the work of the interviewees. This group of interviewees were law enforcement officers whose obligation was to effectively enforce the criminal laws on human trafficking. Throughout all interviews, I always kept in mind that the overall goal was to remain appreciative of the distinctive opportunity to work with the interviewees. In addition, I was also resolute in my efforts to be friendly and agreeable throughout the interview, and therefore participants could reveal as much relevant information as possible without feeling uncomfortable.

In regard to the trafficking victims at the Social Welfare Centre, rapport between interviewers and subjects was imperative. I had a tight timescale in working with them, and so the interviews were conducted right after the initial conversation and receipt of permission. However, being introduced by members of staff at the Centre and police officers gave me some advantage in establishing a good relationship with the victims. All of the interviews were undertaken at the Centre where many services were offered.

Therefore, the victims felt confident and safe in sharing their experience in the friendly interview environment created. I tried to express my respect, sympathy and a supportive attitude towards trafficking victims, so that they felt relaxed and comfortable in talking about their own stories. Actually, six out of seven of the victims had escaped the trafficking situation before crossing the border or being sold further in inland China, and so they may have felt lucky and it might have been easier for them to recall their situation. Some trafficking victims feel grateful about having a chance to tell their stories to supportive and neutral listeners (Cwikel and Hoban, 2005).

4.3.5.3 Confidentiality and safety

The protection of the participants' identities during semi-structured interviews should be ensured at the research design stage (Cwikel and Hoban, 2005). In this study, any identity-related information that could be used to identify interviewees has been changed. Pseudonyms are used for the name of every interviewee in the transcripts and thesis. Any specific information regarding their addresses was removed from the transcripts or changed into general information. The consent form given to interviewees had strongly guaranteed that their identities would not be identifiable, and therefore trust between interviewer and interviewees was developed. With regard to recorded files, they were moved from the Sony IC Recorder which was used to record interviews, to my personal laptop for transcription. The transcribing work was done by myself, on my laptop, in Vietnamese. All interviewees were given different pseudonyms in their interview transcriptions. All recorded files and transcripts from the interviews were stored securely on my own laptop with an added password, and therefore no one else could access them. Every hard copy of the transcripts printed out for analysis was destroyed after being used.

According to Andrees and van der Linden (2005) the safety of the researcher, respondents and third parties needs to be considered in trafficking research. In this study, this issue has been thoroughly dealt with. The venues of interviews included the offices of police officers, the office at the Social Welfare Centre and cafés where privacy and security for all participants were ensured. Trafficking victims were interviewed at the venue where much assistance and support was already in place.

4.3.6 Discussion: ethical issues of interviewing women who have been trafficked

Although the sample of trafficked victims that a researcher interviews may cause a bias, ethical consideration should always be put first (Andrees and van der Linden, 2005). The University ethics committee had approved my project before I did interviews with the seven trafficking victims. According to Cwikel and Hoban (2005), there are several ethical principles that should be tested as trafficked victims have a hazardous and uncertain status: (1) respect for autonomy and independent decision-making; (2) take into account any possible harm and its impact to reach a beneficial outcome; (3) guarantee the welfare of the research participant as a goal; and (4) ensure the biggest benefit for the largest number of participants. Within this specific study, these principles raise the concerns about the issues: (1) access the trafficking victims and ensure security of both victim and researcher; (2) obtain informed consent and find place for interviews; (3) keep subjectivity of trafficking victims and maintain the role of researcher in interviews; and (4) go through the sensitive topics concerning the victims' trafficking experience.

Firstly, it is a discussion regarding accessing the trafficking victims and ensuring security of both victim and researcher. Cwikel and Hoban (2005) claim that researchers may face illegal events during access to and interview with current trafficking victims, such as the violence against victims, illegal brothel, and illegal migration status of the

victims. According to Tyldum (2010), it is ethically wrong for researchers to collect primary data from current trafficking victims who need to be rescued from the situation. They may do more harm than good if they take any intervention in the illegal event (Cwikel and Hoban, 2005). The interviews with trafficking victims without an assistance organization may lead to exposing trafficked women to their families or communities, thereby resulting in “stigmatization, rejection by family, social ostracism and the possibility of threats and retribution from traffickers” (Brunovskis and Surtees, 2010: 13). Therefore, researchers should collect primary data from rescued victims (Tyldum, 2010). During my fieldwork, I abandoned the idea of interviewing ex-trafficking victim as Cwikel and Hoban (2005) point out that the former trafficking victims often do not want to be identified as formally trafficked persons when they have settled down in a new area or when they have already integrated back to their community after deportation or police rescue. Obviously, sampling trafficking victims at the welfare centre helped to deal with the question of how to identify the victims, how to access respondents and where the interviews should take place. Brunovskis and Surtees (2010) argue that while sampling current trafficking victims will raise the security issue for researchers and victim, accessing the interviewees through counter-trafficking assistance providers generally creates a protection layer for both victims and researchers.

The second concern is with regard to obtaining informed consent and finding a place for interviews. In this study, the trafficked victims were given fully informed consent. This implies that they were able to make their own voluntary consent based on research information given by the researcher. Trafficked victims are often reluctant to sign the consent form so verbal acceptance should be accepted (Cwikel and Hoban, 2005). Actually, five victims interviewed in this study chose to give verbal consent to

me while only two signed the consent form with their pseudonym. Yet, most trafficking victims are not familiar with concepts that are written in the research protocol so they may not be able to fully understand a researcher's explanation of all aspects of the process (Cwikel and Hoban, 2005). Therefore, it is necessary to explain to trafficked victims why the study is conducted. Before the seven trafficked victims were interviewed, I had given them the reason the study was undertaken. Accordingly, victims were told that the aim of the study was to investigate how trafficking in women happens and what should be done to prevent and combat this heinous crime. Consequently, the trafficking victims could exercise their autonomy and agency to choose whether they should opt in or opt out of the interview. In the sample of trafficking victims, all of them had a low level of education, three of them were illiterate. Therefore, the question is raised about whether these victims were able to fully understand the informed consent form to make an informed decision to participate in the interview (Brunovskis and Surtees, 2010). Additionally, as trafficking victims want to pay their gratitude to the organization that assisted them, they may choose to take part in the interview offered (Brunovskis and Surtees, 2007). Therefore, there is a question about to what extent the victims feel forced to take part in the interview in gratitude to their helpers (Brunovskis and Surtees, 2010).

Finding an appropriate place for an interview with trafficking victims is often challenging and interviewing the victims in their home community is sometimes ethically inappropriate and unsafe (Brunovskis and Surtees, 2010). The place of interview influences the victims' willingness and ability to be smoothly interviewed (Brunovskis and Surtees, 2010). Practically, trafficking victims are ethically and safely identified and accessed in the assistance sites (Brunovskis and Surtees, 2010). Therefore, interviewing trafficking victims at the shelter is often conducted by a majority of

trafficking researchers. Yet, the trafficking victims, who have just been rescued or deported, often feel distressed or worried and in this study I found at least that they wanted to go home as soon as possible. Therefore, the suitable point of time to interview trafficking victims is still widely debated. According to Cwikel and Hoban (2005: 311) the interview should be conducted when the women “left the sex industry or are detained awaiting deportation while they are being primed to testify against traffickers, or during trial”.

Thirdly, there is a discussion concerning keeping objectivity towards trafficking victims and maintaining the role of a researcher in the interviews. According to Andrees and van der Linden (2005), the respect for objectivity of the victims are ethical issues that are particularly applicable to trafficking research. Throughout the interviews, sometimes I found that the ways that a researcher and a victim perceived the situation were different and the perception of the victim should be followed. Along with victims’ perception, no promise beyond informed consent procedures should be made by the researcher to trafficked victims as victims may pursue their own agenda which leads the researcher to go beyond the domain of expertise and to violate ethical research practice (Cwikel and Hoban, 2005). In the interviews, I realized that the interviewed victims may want to achieve justice or they wanted me to help them to go home as soon as possible. I was also aware of the boundary of interviewee and researcher. I am not a therapeutic expert, a trafficking assistant or a law enforcement officer. In addition, I also understood the nature of the relationship between researcher and interviewee and the protocol of interview should be followed. In the interviews with trafficking victims, I found that some victims worried that they would be punished for illegal border crossing and that they did not want their family to know they had been trafficked.

Finally, it is a point of discussion about going through the sensitive topics concerning the victims' trafficking experience. In this study, the interviews with trafficking victims were conducted by a male researcher. Before conducting interviews, I realised that trafficking victims are often reluctant to take part in interviews with researchers who are a stranger to them. In addition, in regard to sex trafficking, the victim may not want to share their own experience of sexual exploitation with a male researcher. Yet, according to Zimmerman et al. (2003), it is not always true that all trafficked women are traumatized and view themselves as trafficking victims and/or detest the exploiters. In addition, trafficking victims may agree to take part in the interview as the purpose of the project and the relevant issues are not expected to focus only on their ordeal of being trafficked (Brunovskis and Surtees, 2010). Actually, in Vietnam's culture which is influenced by Confucian, women are discouraged to talk openly about sex-related things, especially when discussing with a stranger. Therefore, in this study, the topics that were discussed with the trafficking victims are about the reasons why they left their home with the offenders and about their lives before being trafficked. At the end, they also talk about their own trafficking experience.

To let the victim feel confident to take part in the interview and to ensure their welfare, seven trafficking victims were told that a member of the Social Welfare Centre's staff could be present in the interview if they wanted. The victims were also told that they could ask for assistance available at the Centre. Additionally, it was also explained to the victims that their identities will be made anonymous in subsequent public reports. Throughout the interview process with trafficking victims, I was always aware of the strain concerning revisiting their own ordeal of trafficking so sensitive discussions or questions were avoided. Yet, according to Brennan (2005), for some victims, speaking about the past can be empowering. As trafficking victims often want

to hide their trafficking incident from their family, friend and their community, they may feel release in talking about their own experience with someone regardless of that person being a stranger to them. When interviewing the victim who was pregnant as a result of being forced to sell sex without protection, I observed she did not feel reluctant to talk about her experience of being forced to work as a sex worker. This supports the view of Brunovskis and Surtees (2010) that a number of trafficked respondents want to make their voice heard so the understanding of trafficking can be made public. Throughout the interview process, the trafficking victims were given control over what they wanted to say while I was always aware to try to avoid unintended pressures on them to tell me information they thought I needed.

4.4 Quantitative content analysis

The weaknesses or limitations in one research method can sometimes be made up for by the strengths of another method in drawing the most comprehensive picture possible of human trafficking (Andrees and van der Linden, 2005). Moreover, quantitative content analysis is a highly flexible method and can be applied to various different types of unstructured textual information (Bryman, 2012). To cross-check and supplement the interview data in order to answer the five key research questions, a sample of trafficking incidents gathered from online newspaper articles and another sample of a number of final reports of trafficking cases issued by the local police in the province of Quang Ninh were collected for quantitative content analysis. According to Bryman (2012: 289), “Content analysis is an approach to the analysis of documents and texts (which may be printed or visual) that seek to quantify content in terms of predetermined categories and in a systematic and replicable manner”. In addition, Scott (2006: 40) claims that content analysis is “A method of analysing the content of documents that uses quantitative measures of the frequency of appearance of particular elements in the text”. In content

analysis where researchers work systematically through transcripts, how often certain factors which are recorded by codes arise can be determined (Dawson, 2009).

As the quantitative content analysis needs to cover as wide a range of relevant sources as possible (Scott, 2006), a sample of reports of 326 different incidents of the trafficking of Vietnamese women to China issued over the ten-year period 2004-2013 was collected from online newspapers. The reason for choosing this period of time is that in 2004 the first National Action Program on the Prevention and Suppression of Trafficking in Women and Children was approved by the Vietnamese Prime Minister, and in 2013 the writing up of this thesis began.

The collection of the 326 online newspaper articles was gathered over a three-year period of time (from 2011 to 2014) using the Google search engine with the key words: “human selling” or “human buying” or “women trafficking”. All articles were filtered by the following criteria: 1. They must be about incidents of trafficking in women with specific details such as victims, traffickers, time, localities, trafficking process and detection; 2. They must be about the trafficking of women from Vietnam to China; 3. The trafficking cases must be handled by law enforcement intervention including victim rescue operations, arrests of trafficking suspects, official investigations against alleged traffickers, court hearings and/or convictions of traffickers. Furthermore, in the process of searching, one trafficking case could have been reported by several different official news media or at different points in the legal proceedings, for instance at the time of arrests of traffickers and, or the first court hearing, or an appeal court hearing. There were 780 newspaper articles covering these 326 trafficking incidents which were selected for analysis.

All 780 articles were collected from 23 national online newspapers and 13 local online newspapers. These online newspapers are affiliated with or controlled by

government agencies or local authorities, and their publishing licences are granted by governmental agencies. Tables 4.1 and 4.2 present lists of national and local online newspapers from which trafficking incidents were collected:

Table 4.1 List of national online newspapers where trafficking incidents were collected

	Names	Affiliated agencies	Online address
1	Bao Nhan Dan Dien Tu (People's online newspaper)	Communist Party of Vietnam	http://www.nhandan.com.vn/
2	Bao dien tu Dan tri (Dan Tri online newspaper)	The Central Association of Study Encouragement of Vietnam	http://dantri.com.vn/
3	Bao Cong An nhan dan (People's public security online newspaper)	Ministry of Public Security	http://cand.com.vn/
4	Bao dien tu Phap luat Vietnam (Vietnamese Law online)	Ministry of Justice	http://baophapluat.vn/
5	Bao Tien Phong (Pioneer online newspaper)	Central Ho Chi Minh Communist Youth Union	http://www.tienphong.vn/
6	Bao dien tu VnExpress (VnExpress online)	Ministry of Science and Technology	http://vnexpress.net/
7	Bao dien tu Vietnamplus (Vietnamplus online Newspaper)	Vietnam News Agency	http://www.vietnamplus.vn/
8	Bao dien tu Vietnamnet (Vietnamnet online newspaper)	Ministry of Information and Communication	http://vietnamnet.vn/
9	Bao dien tu Cong ly (Cong ly online newspaper)	People's Supreme Court	http://congly.com.vn/
10	Bao Lao dong dien tu (Labour online newspaper)	Vietnam General Confederation of Labour	http://laodong.com.vn/
11	Bao dien tu Tin tuc (Information online newspaper)	Ministry of Information and Communication	http://tintuonline.com.vn/
12	Bao Thanh nien dien tu (Thanh Nien online newspaper)	Vietnam United Youth League	http://www.thanhvien.com.vn/
13	Bao Ngoi sao dien tu (Star online newspaper)	Ministry of Science and Technology	http://ngoisao.net/
14	Bao dien tu Infonet (Infonet online newspaper)	Ministry of Information and Communication	http://infonet.vn/
15	Bao dien tu Dan viet (Danviet	Vietnam Farmer's Union	http://danviet.vn/

	online newspaper)		
16	Bao dien tu Tin moi (Tinmoi online newspaper)	Vietnam Lawyers Asociation	http://www.tinmoi.vn/
17	Bao dien tu VOV (VOV online newspaper)	The Voice of Vietnam	http://vov.vn/
18	Bao Dang cong san Viet nam dien tu (CPV online newspaper)	Communist Party of Vietnam	http://dangcongsan.vn/cpv/index.html
19	Bao tin tuc dien tu (Zing online newspaper)	Vietnam Publishers Asociation	http://news.zing.vn/
20	Bao dien tu Hoi lien hiep phu nu Viet nam (Vietnam women's union online newspaper)	Vietnam Women's Union	http://hoilhpn.org.vn/
21	Bao Gia dinh dien tu (Family online newspaper)	Ministry of Health	http://giadinh.net.vn/
22	Bao dien tu Viet bao (Vietbao online newspaper)	Ministry of Information and Communication	http://vietbao.vn/
23	Bao Tuoi tre dien tu (Youth online newspaper)	Central Ho Chi Minh Communist Youth Union	http://tuoitre.vn/

Table 4.2 List of local online newspapers where trafficking incidents were collected

	Names	Affiliated agencies	Online address
1	Bao An ninh thu do dien tu (Capital's security online newspaper)	Ha Noi Department of Public Security	http://anninhthudo.vn/
2	Bao An ninh Hai Phong dien tu (Hai Phong's security online newspaper)	Hai Phong Department of Public Security	http://www.anhp.vn/
3	Bao Cong an Nghe An dien tu (Nghe An's public security online newspaper)	Nghe An Department of Public Security	http://congannghean.vn/
4	Bao Cong an Yen Bai dien tu (Yen Bai Public security online newspaper)	Yen Bai Department of Public Security	http://conganyenbai.gov.vn/
5	Bao Cong an thanh pho dien tu (Ho Chi Minh city's public security online newspaper)	Ho Chi Minh Department of Public Security	http://congan.com.vn/
6	Bao Yen Bai Dien Tu (Yenbai online newspaper)	Yen Bai local authority	http://www.baoyenbai.com.vn/

7	Bao dien tu Lang Son (Lang Son online newspaper)	Lang Son local authority	http://baolangson.vn/
8	Bao Nghe An dien tu (Nghe An online newspaper)	Nghe An local authority	http://www.baonghean.vn/
9	Bao Quang Ninh dien tu (Quang Ninh online newspaper)	Quang Ninh local authority	http://www.baoquangninh.com.vn/
10	Bao dien tu Ninh Binh (Ninh Binh online newspaper)	Ninh Binh local authority	http://baoninhbinh.org.vn/
11	Bao Phap luat va xa hoi dien tu (Law and society online newspaper)	Ha Noi Department of Justice	http://phapluatxahoi.vn/
12	Bao Xa hoi dien tu (Xa Hoi online newspaper)	Ha Noi local authority	http://xahoi.com.vn/
13	Bao Nguoi lao dong dien tu (Labourers' online newspaper)	Ho Chi Minh City Federation of Labour	http://nld.com.vn/

To apply quantitative content analysis to the 780 articles and eight investigation reports, two analytic techniques were utilised. Firstly, the appearance of a number of specified words and phrases were counted. According to Bryman (2012: 295), “decisions about what should be counted in the course of a content analysis are bound to be profoundly affected by the nature of the research questions under consideration”. In this study, the research questions focus on determining the push and pull factors for trafficking, the connections between them, and challenges facing trafficking investigators. Therefore, the words and phrases that were counted were ones carrying meanings relevant to the interview themes regarding push and pull factors. They included: poverty, unemployed, underemployed or looking for a job, family support, rural or upland areas, difficult personal circumstances, wanting to marry Chinese husbands, being willing to migrate. The results of the use of this analysis technique are presented in section 5.2.4.

Secondly, the content of all 326 trafficking incidents were coded in terms of how these incidents were detected. According to Bryman (2012), coding is a pivotal step in the course of conducting a content analysis. The coding scheme requires a coding schedule and coding manual. The coding schedule is a form onto which all the data relating to an item being coded are entered, and are presented below. It includes the following dimensions: (1) victim's family reports about the suspected trafficking incident; (2) victim reports; (3) border guard patrol or local police patrol; (4) crime and victim detection; (5) citizen reports and (6) outcomes of other non-trafficking investigation. Next, categories were added to every dimension as follows:

Victim's family reports about

1. Missing person
2. Missing person and suspect
3. Missing person and that she is staying in China

Victim Reports

1. On transportation
2. From China
3. From Vietnam

Border guard patrol or local police patrol

1. By border guards
2. By neighbourhood police

Crime and Victim Detection

1. Surveillance of suspects
2. Catching red-handed
3. Identifying returned victim

Citizen reports

1. Eye-witnessing kidnapping
2. Information about suspects

Outcomes of other non-trafficking investigation

1. Vietnamese citizen-related crime which happened in China
2. Crime which happened in Vietnam

To understand the content of the newspaper articles collected, I read all of those articles several times to become familiar with their structure and information themes and the dimensions of the incidents. Therefore, I could detect relevant subjects and categories that concerned my research questions. The results of this analysis are presented in Table 6.2 in Chapter 6.

As for the eight investigative reports collected, I also used the main themes concerning the background of the victim, the establishment of the trafficking network,

the traffickers' profiles, the trafficking process, the circumstances of detection, and the outcomes of law enforcement intervention. Further sub-themes with regard to the background of the trafficker, criminal motivation and connections inside the network were identified to provide insight into Vietnam-China trafficking networks. All of the results are presented in Table 5.2 in Chapter 5.

4.5 Validity and credibility

4.5.1 Interview analysis

Although there are a number of correct ways to analyse a qualitative data set (Auerbach and Silverstein, 2003), the process of analysing qualitative data must be guided by the key principle of validity (Harding, 2013). According to Jupp (2006: 311), validity is defined as “The extent to which conclusions drawn from research provide an accurate description of what happened or a correct explanation of what happens and why”. Reading thoroughly through all interview transcripts prior to analysis is a simple way to enhance the validity of the study (Schmidt, 2004). Therefore, before analysing the interview data, I read through the transcripts several times to get an overview of the data. I re-read the transcripts after I produced the first results chapters, so that I could make sure that the findings of the study did accurately reflect the original data and no ideas or sections of the transcripts were missed out.

4.5.2 Quantitative content analysis

Quantitative content analysis is seen as a very transparent research method as the coding scheme and sampling procedure can be clearly presented and replications and follow-up studies are practicable (Bryman, 2012). In order to enhance the quality of the coding scheme, a pilot study of several texts was conducted. The coding process was done in a consistent and precise manner. Macdonald (2008) notes that, although there may be a

tendency to think of documents as being ‘objective’, they are socially produced and will need to be checked for authenticity, credibility and representativeness. Additionally, Andrees and van der Linden (2005) claim that, although in research on human trafficking secondary sources can be used to supplement primary research, careful consideration should be taken with media and official sources. In this sense, all 780 newspaper articles about the 326 trafficking incidents were gathered from official and reliable online newspapers which are affiliated with governmental agencies at the central and local levels. Therefore, these articles are deemed authentic and suitable for data analysis. Moreover, the sample of 780 online newspaper articles was issued over a ten-year period and was selected using clear criteria, so that it gives the study a longitudinal and representative sample of reports for analysis.

4.6 Limitations of the research

In this study, whilst the sampling of counter-trafficking professionals was purposive for the above-mentioned reasons, interviewees in the trafficking victim group were selected due to their presence at the Social Welfare Centre. Trafficking victims were identified through the activities of law enforcement agencies in both Vietnam and China. The limitation here is that this sample is small and not representative. With regard to the group of 24 anti-trafficking law enforcement personnel from the Public Security Ministry and five local agencies, this sample could not be representative of the views of all anti-trafficking investigators who are engaged in the fight against the trafficking of Vietnamese women to China. Nonetheless, apart from Ministry anti-trafficking police officers who become involved in trafficking nationwide, the five selected localities have been identified as hotspots in the trafficking of Vietnamese women to China or are located on key trafficking routes. Three of them are frontier provinces sharing the border with the two Chinese provinces of Yunnan and Guangxi. These anti-trafficking

police investigators selected in these localities are believed to be highly experienced in handling cases of the trafficking of Vietnamese women to China.

According to Tyldum (2010), choosing trafficking victims from victim assistance centres as a sample could lead to relatively biased representation because these victims may have gone through a different selection mechanism. However, Tyldum also points out that victims in assistance centres are particularly suitable for research because they are relatively easily identified and the assistance of shelter personnel is available for victims if necessary during the interview. In general, limited access to trafficked persons is a major obstacle in conducting research into trafficking (Lee, 2005).

Prior to conducting the fieldwork, I was intending to look for a sample of trafficking victims who had escaped and returned home. However, such individuals are dispersed across many provinces of the country, and finding such a sample would be costly and difficult, and might also be a biased sample. Moreover, many women do not admit that they are trafficking victims, especially when they have moved to other localities or have integrated back into their original communities following escape (Cwikel and Hoban, 2005). Therefore I decided to abandon this idea but to look for a convenient sample of trafficking victims who had just run away from or been rescued from traffickers. I also wanted to select more trafficking victims who were staying in the Social Welfare Centres in the border provinces of Yen Bai, Lang Son and Quang Ninh. When I conducted fieldwork there, there were a number of victims who had just been picked up by their family members. Therefore, I lost the opportunity to interview them.

Another shortfall of this study relates to secondary data. Although a large number of newspaper articles was collected from a ten-year period of time, the accuracy

of the information was questionable. There might have been bias accompanying these reports of trafficking cases. That is because the purposes of these online newspaper articles are diverse. The degree of freedom of expression in a country may also impact on the reliability of media reports of trafficking incidents (Andrees and van der Linden, 2005).

This study in part relied on analysing eight final investigation reports produced by local police. Andrees and van der Linden (2005) point out that findings emerging from police reports or legal proceedings are limited because they are based on domestically legal grounds and an institutional viewpoint. Moreover, as this was a small numbers of cases, the data may not be representative for all cases of the trafficking of Vietnamese women to China.

In the area of human trafficking, no research method is without problems irrespective of whether it is qualitative or quantitative and whether it utilises secondary sources or primary ones (Andrees and van der Linden, 2005). Therefore, researchers are encouraged to utilise a multi-method approach and many data sources to increase the quality of the research project (Cwikel and Hoban, 2005). I had advantages in terms of language and political and cultural understanding when I conducted interviews with the respondents. For example, my nationality and understanding of Vietnamese culture, customs and rituals was very helpful in conducting interviews with anti-trafficking professionals and trafficking victims who could not be easily accessed by foreigner researchers. This study has used different sources of data, and findings can be crosschecked to ensure their validity, credibility and representativeness, thereby increasing the quality of the research.

4.7 Conclusion

This chapter has outlined how this study was conducted. It discussed the methodological approach of the research and how a multiple-method approach was decided upon to answer the research questions. Descriptions and discussions of the data collection methods used, sampling, the process of data collection and ethical considerations were presented. Then, the validity and credibility of the study were discussed. Finally, the limitations of this research were mentioned. The next chapter presents the findings concerning push and pull factors in and the patterns of the trafficking of Vietnamese women to China.

CHAPTER 5
PUSH AND PULL FACTORS OF THE TRAFFICKING IN VIETNAMESE
WOMEN TO CHINA

5.1 Introduction

This chapter provides answers to the first two research questions: (1) what are the push and pull factors for the trafficking of Vietnamese women to China? (2) what is the pattern of the trafficking of Vietnamese women to China created by push and pull factors? To address the first research question, the chapter begins with the findings concerning the push factors in Vietnam, which include economic factors (poverty, unemployment and low income), social factors (poor education, lack of social awareness, family dissolution, and the shame of premarital pregnancy), and cultural factors (filial duty to support parents, the stereotype of hypergamous marriage with foreigners, and the marriage customs of ethnic minorities). In addition, the results of the quantitative content analysis of online newspaper articles on 326 trafficking incidents are disclosed. Subsequently, the findings on the pull factors in China are presented: (1) economic factors (the demand for unskilled and low-skilled labour), (2) social factors (the thriving sex industry in the Chinese provinces in close proximity to Vietnam), and (3) demographic factors (the shortage of local brides). To answer the second research question, the findings concerning the traffickers, recruitment of victims, border crossing and exploitation of victims are presented. This chapter concludes with a discussion of the findings.

5.2 Push factors

5.2.1 Economic factors: poverty, unemployment and low income

Most vulnerable Vietnamese women and girls who have been trafficked were previously living in poverty or financially deprived circumstances (Ngoc Le-Mai Tram, 2015, PSDLC, 2011). Although a number of trafficking victims are aware that they can be cheated and sold by recruiters, they still decide to migrate in the hope of finding a good job and escaping from their miserable life at home (Minh Hong, 2013). Most people vulnerable to trafficking subsist on very small incomes (Vu, 2012). In many upland and rural areas, arable production is not able to help them to escape poverty and food scarcity because of its low productivity and the consequences of severe drought and flood (AFP News, 2014, TN News, 2011b). In addition, many rural families with many children become more economically deprived although they continue to work hard on the arable fields (Khanh Hoan, 2014, Nguyen Thu, 2012). The majority of children have to drop out of school early as their parents are not able to pay the tuition fees and they need their children to do chores and other jobs to support their parents to survive their family's hard life (DICS0, 2011). Therefore, a part of the rural population feel compelled to migrate in search of a better life (Tuan Nam-Phu Son, 2014, VietNamNet Bridge, 2014).

“The main feature of this province is its remote and upland locations, with ethnic minorities accounting for a high percentage of the population. In these remote and hilly areas, the local people face many economic difficulties, particularly underemployment with unstable and low income. The means of livelihood of the victims derives from growing rice and corn on the fields and hillsides. Apart from agricultural jobs, it is virtually impossible for them to get an additional job within the local community during off-peak seasons in order to improve their income. These situations create the demand for a stable and paid job in other provinces or abroad” (C.O.03).

The majority of trafficking victims are rural women who are unemployed and seeking a job in the city (Hung The, 2013, Minh Hung, 2015a, PCHN, 2009). In the

impoverished, rural and hilly areas, their main jobs are associated with arable fields (Minh Hong, 2013, PSDCB, 2013, TN News, 2014b). Every year a significant number of young girls join the workforce, but the number of jobs created does not meet the high demand for employment (DICSO, 2013, The Economist Vietnam, 2015). Additionally, a large number of people who are working on arable farms in rural areas become temporarily unemployed when the harvesting and planting seasons have finished, especially after the Lunar New Year (Long Ngu, 2015, Nhu Quynh-Duy Hai, 2015). It is difficult for most of them to get a temporary job to improve their modest incomes, while others lack arable land to grow crops to support their subsistence (Linh Chi, 2013, Nhu Quynh-Duy Hai, 2015, Vietnamnews, 2015, Vu Hong Minh, 2014). Rate of young people's unemployment and underemployment becomes serious and create the pressure to seek a paid job (Nguyen, 2011f). They hope that they will be able to get a well-paid job or an economic opportunity if they leave their home for cities or abroad (Ngoc Ha, 2015, PCCB, 2011, TN News, 2010b, TN News, 2011c).

The workforce in many rural areas is mostly unskilled and untrained, and these people are only able to do manual jobs (Ha An, 2012, Ngo, 2012b, PCHN, 2009, Vietnamnews, 2015). Many of them wish to migrate to the city to find a paid job (DICSO, 2010, Ngoc Le-Mai Tram, 2015, NSB, 2012, PCYB, 2011, PSDCB, 2010). These women and young girls hope that in the urban areas they will be able to find a suitable job such as a waitress or a dishwasher in food shops or restaurants, an assistant in clothes shops, or a manual worker on construction sites (C.O.01; C.O.12)⁸. They expect that such a job will help them to cover their living costs and allow them to save a sum to send back to their family in the countryside (Thanh Van, 2014). As women and young girls in rural areas seek a paid job away from their home villages to improve their

⁸ They are interview codes which are explained at the Appendix A: List of interviews.

lives at any cost, they are vulnerable to the recruitment tricks of traffickers (Ho, 2011, Khanh Hoan, 2014, Thanh Dung, 2015b, TN News, 2013a). For example, “Mang”, a trafficking victim whose home village is 700 km from the Sino-Vietnamese border, said that: “My job is on the rice field which can sustain my family’s life. But when I was asked whether I wanted a job as a clothes seller in Ha Noi, I supposed that I would take it...” (T.V.03)⁹.

Women vulnerable to trafficking are also among those who are working in restaurants, karaoke bars, small hotels, cafés, or sex entertainment facilities in cities (DICS0, 2013, NSB, 2012). Because their job is low-paid and unstable, they seek other better-paid work in another place (DICS0, 2013, SB, 2009). At the same time, as rural women and young girls working in jobs in industrial parks with low wages seek better pay somewhere else, they are also vulnerable to being lured by traffickers (Ha Hoang-Minh Thai, 2012, Viet Cuong, 2012).

There is a growing influx of Vietnamese people from rural and upland areas illegally seeking a way into China for unskilled jobs (Chau Hoai Thu, 2014, Hoang Lan, 2015, Khac Kien, 2015, Le, 2014, Long Ngu, 2015, Ngoc Tung-Quang Son, 2014, Nhu Quynh-Duy Hai, 2015, Trong Duc, 2015, Xinhua, 2010, Xuan Ly-Dinh Vu, 2013, Xuan Mai, 2015). Every year, during the peak time of the agricultural harvest season in nearby Chinese provinces such as Yunnan, Guangxi and Guangdong, tens of thousands of Vietnamese migrants from the provinces of Quang Ninh, Lang Son, Cao Bang, Ha Giang, Lao Cai, Lai Chau, and Bac Giang in Northern Vietnam arrive there for a temporary job (Ngo, 2012a, Nhu Quynh-Duy Hai, 2015). Taking Guangdong as an example, 18,000 Vietnamese people in 2011 arrived there looking for temporary jobs lasting between two days and two months. In 2014, there were about 200,000 illegal

⁹ *ibid.*

Vietnamese migrants working in China (Tuan Anh, 2014). About 60% of temporary Vietnamese labourers in China are female (Tuan Anh, 2014). Vietnamese illegal migrants expect to earn a sum of money from a job in China to save for their future when going home (Long Ngu, 2015).

Rural Vietnamese people who illegally migrate to China are primarily characterised as unskilled people with low incomes at home (Nguyen Duy Chien, 2015). They cannot turn to the legal channels of the state's labour export schemes in foreign countries due to the high cost of application, the recruitment companies' requirements (such as language competence, skills and training, and physical health certificate), as well as bureaucratic obstacles (such as obtaining visas and the formal labour contract). However, in order to get a temporary job in China through illegal brokers, they do not have to meet any of the aforementioned requirements and they can actually depart at any time with brokers by paying only modest travel costs (Duc Anh, 2015, Xuan Ly-Dinh Vu, 2013). Illegal migrants are also told that they only need physical health in order to do manual jobs, while they can leave the promised job at any time they want (C.O.07). So far, as there has been no formal labour agreement between Vietnam and China, there is no legal channel for Vietnamese workers to go to China for a job (Chau Hoai Thu, 2014, Tuan Anh, 2014, Xuan Mai, 2015). Therefore, illegal Vietnamese migrants in China are not entitled to any of the rights of a worker, but rather they are vulnerable to being exploited and physically and mentally abused by employers (Hoang Lan, 2015, Long Ngu, 2015). Female labour migrants may be forced to work as sex workers in brothels (Nguyen Duy Chien, 2015, Vu Hong Minh, 2014), and these Vietnamese workers are also pursued, arrested, detained, fined and/or imprisoned by Chinese police for their illegal migration status (Duc Anh, 2015, Le, 2014, Long Ngu, 2015, Nghia Hieu, 2015, Nguyen Thai-Viet Dung, 2015). While many illegal

Vietnamese migrants end up being deported back to Vietnam (Nguyen Thai-Viet Dung, 2015, Phan Hau-Thu Hang, 2013), a significant number of them are unofficially returned to Vietnam by Chinese police (Pham, 2013, Tran, 2014).

5.2.2 Social factors: poor education, lack of social awareness, family dissolution, and the shame of premarital pregnancy

The majority of trafficking victims are among ethnic minority and rural women and girls who are poorly-educated (C.O.01; AFP News, 2014, Bui, 2012a, DICSO, 2011, Duong Phan, 2014, Minh Hung, 2015a, Minter, 2014). The women vulnerable to trafficking often drop out of school at primary or secondary level (DICSO, 2011, DICSO, 2013, Nguyen, 2012). About 26% of the victim population are illiterate; 71% of them only reached primary or secondary schooling levels; only 3% of victims have had high school education or above (Ho, 2011). Through my observations in the time when the investigators interviewed rescued victims in the Social Welfare Centre of Lao Cai, three of the seven victims could not sign their statements, but instead they used their fingerprints.

The social and legal awareness of the women and girls vulnerable to trafficking is limited as they have low levels of education and they have to work hard on farms (DICSO, 2013, NSB, 2014a, PCYB, 2012, PSDCB, 2010, VietNamNet Bridge, 2014). The majority of trafficking victims had never left their village until they were trafficked (C.O.03; C.O.07; C.O.13). As this group of trafficking victims is often naïve, they often do not realise their situation until they are being exploited (Thanh Dung, 2015a, TN News, 2012a, TN News, 2012c, TN News, 2014a).

Many young women and girls who suffer from family breakdown have to live on their own and they want to migrate for a better life elsewhere (DICSO, 2010). For

example, one schoolgirl became a trafficking victim after her parents split up and abandoned her (Khanh Ngoc, 2013). While the majority of trafficking victims are in financial trouble or their family is breaking up (DICSO, 2010), a significant number of victims used to be sex workers before being trafficked (DICSO, 2011, PPCLS, 2011). Some young rural girls are pregnant before marriage and their boyfriends abandoned them or their relationship is not accepted by their parents (PSDCB, 2010). These girls feel ashamed, so they want to migrate somewhere to give birth to their child and to avoid bringing shame on their family (Thu Hang-Mai Ha, 2012). The situation makes such girls become vulnerable to being trafficked (C.O.02; C.O.08).

Apart from trafficking victims who are living in rural areas, young urban girls are also among the women vulnerable to trafficking (C.O.03; PPCLS, 2011). These young girls often lack parental care and they are addicted to playing online games and to online chat in the Internet cafés around the towns and cities¹⁰ (DICSO, 2010, Ha Anh, 2012, Hong Tuan, 2012, Loan Hoa, 2014, PCH, 2010, PCYB, 2012). They are also willing to meet up with their online game-addicted fellows and they are then sexually abused (C.O.06). This group also wants to make money to cover their spending. Therefore, they are vulnerable to human traffickers (C.O.23).

Not all poor women in the country of origin will become trafficking victims (Bales, 2005). Trafficking is not likely to happen to people who are not willing to migrate, irrespective of their social economic status, their education level and their nationality (Jahic, 2009). Victims' willingness to migrate for better economic

¹⁰ In Vietnam, there are many Internet cafés where people, especially young people, can use desktop computers to play non-gambling online games, or to chat online and make friends with other Internet users. The Internet cafés also serve refreshments to clients who use the computers for several hours, even overnight. A number of young girls are addicted to playing games in these Internet cafés but they lack the money to pay the owners of the shops. Ultimately, they ask other Internet users to come and pay for them. This situation is called "Cứu nét" in Vietnamese. These young girls are often sexually abused by the "helper" afterwards. Many traffickers use this as a way to recruit and sell victims to China.

opportunities or a promising family life impels them to take up the recruiter's offer (Minh Hong, 2013). Many trafficking victims are often aware of the risks associated with migration before their journey, but they still decide to travel with the recruiters (C.O.05; Bui, 2012b, Nguyen Thu, 2012, Thanh Van, 2014). Victims' willingness to migrate is often encouraged because recruiters offer the victim not only a well-paid job away from home or a promising marriage with a foreigner, but also a trip to places near the Sino-Vietnamese border (C.O.05). In addition, trafficking victims are willing to migrate partly because of poverty, unemployment, the filial duty of a daughter, the lack of social and trafficking awareness, and family dissolution (C.O.13; C.O.15; T.V.01; T.V.03). These background conditions actually constrain the agency of the Vietnamese women in making the decision to migrate.

A significant number of trafficking victims are schoolgirls. As they are growing up and becoming independent from family care, they are actively seeking the experience of adventure in a new environment, a new attractive place, a new relationship, or a new student life away from home. Many schoolgirls try to look for a part-time job or a temporary job during their summer holidays to experience an independent life and to cover their living costs (C.O.07). These adventures also make them vulnerable to the tricks of traffickers.

5.2.3 Cultural factors: filial duty to support parents, the stereotype of hypergamous marriage with foreigners, and marriage customs of the ethnic minorities

In rural areas there is a financial burden put on a daughter when the family is living in poverty (Quang Minh, 2013, TN News, 2012b, Vien Su-Dong Phuong, 2013). These financial difficulties will get worse if a parent contracts a disease or they lose their business (C.O.12; C.O.23). In most poor families, the daughters have to drop out of

school and seek a paid job in urban areas to help their family as a way of showing their responsibility (Quang Minh, 2013). Moreover, there is also a stereotype that successful labour migrants are those who are able to send money back to their families and the risk that they may be exploited by employers in the workplace is just not seen important (Thanh Van, 2014). However, their low level of education and lack of social capital and working skills make it difficult for these young girls to find a good job, and this makes them vulnerable to human trafficking (Ha An, 2012, PPCLS, 2011, Thanh Hoang, 2014a). One of the most common tricks of traffickers is to pay the parents a sum of money which is supposed to be their daughter's salary in advance (Pham, 2012).

Marrying a rich foreign husband to show filial piety towards the parents is a traditional fallacy that influences the thoughts of young girls in rural lowland areas (Hoang Hiep, 2014, NSB, 2014a, Quoc Huy, 2012). A number of parents, who can exercise the power to choose their daughter's husband, intentionally arrange her marriage to a Chinese man in order to receive a large dowry to pay off their debt (TN News, 2012b). It is also thought by many rural poor families that, if their daughter marries a foreign husband, their financially deprived situation will be reversed by remittances sent back home by their daughter (Ngo, 2012b, TN News, 2011a, Vien Su-Dong Phuong, 2013). Additionally, many rural women and girls think that marriage with a rich foreign man is a way to escape poverty and manual labour on the rice fields, and to take a free tour to a foreign country (Ngoc Ha, 2015, Nguyen, 2012, NSB, 2014b, TN News, 2012d). These marriages are always arranged by brokers in a short period of time and the Vietnamese brides often lack sufficient information about their foreign husbands (Nghiem, 2013). In reality, some rural families may become richer due to remittances sent back home by Vietnamese brides who have married foreign husbands (Thanh Hoang, 2014a, Trung Kien, 2009). This encourages many rural poor young girls

and their families to choose to try to escape poverty in this way irrespective of any consequences such as human trafficking and physical and sexual abuses by brokers or husbands (Anh Thu, 2013, Ngoc Bi, 2013, TN News, 2011c, TN News, 2012e, Vien Su-Dong Phuong, 2013).

There is a growing trend for rural Vietnamese women to marry foreign men from rich countries in the region such as South Korea and Malaysia in addition to China (Van Vinh, 2014). Thousands of women from the provinces of Northern Vietnam married Chinese husbands in search of a better life (Ngo, 2012a). Over the 2008-2014 period, about 18,000 Vietnamese nationals married foreign spouses every year, and 92 % of them were women (NSB, 2014a). There are an increasing number of ethnic minority women in the border provinces illegally crossing the border and marrying Chinese husbands for a better life (DICSO, 2012a, PSDLC, 2013). Apart from the above-mentioned cases, the women vulnerable to trafficking are also among those who are still alone - divorcees, widows, or those who are abused or have been abandoned by their husbands (C.O.03; TN News, 2010a). These women are often poorly educated, not able to speak a foreign language, and lack social awareness, so they become vulnerable to human trafficking (C.O.16).

According to the marriage customs of some ethnic minorities' in Northern Vietnam, a young girl of marrying age is often allowed to follow a man who she agrees to get married to for several days before the marriage ceremony (C.O.05). The man often tells the girl's family to take her to his home for introduction to his relatives. The girl's family members do not suspect the traffickers' intentions until they find that their daughter is missing (C.O.07). This cultural practice leads young ethnic minority girls and single women to be vulnerable to being trapped by traffickers

“There was one victim who decided to follow a recruiter who tried to befriend her through chatting on the website Mongza.com and then chatting on mobile phone. She was suspicious of being lured and asked her female friend to learn the motor plate number of the suspect in case something happened to her. After being rescued, she was asked why she chose to go despite her suspicion, she said she wanted to go at least once for adventure”(C.O.05).

5.2.4 Result of quantitative content analysis of online newspaper articles about 326 trafficking incidents

Based on the themes that emerged from the interview data, the quantitative content analysis of 780 online newspaper articles covering 326 trafficking incidents focused on the frequency of words and phrases that appear in these articles concerning trafficking incidents. The words and phrases that are counted have meanings related to push factors such as poverty, unemployed, underemployed or looking for a job, family support, rural or upland areas, difficult personal circumstances, wanting to marry Chinese husbands, poor education and lack of social awareness. Accordingly, the theme “poverty” is characterised in the Vietnamese language in these articles in the following phrases: “đói nghèo” (poor and hungry), “hoàn cảnh kinh tế khó khăn” (economically deprived circumstances), “nhà nghèo” (poor family), “bươn chải kiếm sống” (work hard to earn a living), “hoàn cảnh gia đình hết sức khó khăn” (a very desperate family background), “cuộc sống vô cùng khổn khổ” (an utterly miserable life), “hoàn cảnh gia đình rất nghèo” (very poor familial circumstance) or “ngày cũng không đủ 2 bữa ăn” (not enough food for meals). Similarly, the theme “unemployed, underemployed or looking for a job” is represented in the Vietnamese by the phrases: “thất nghiệp, không có việc làm” (unemployment or no job), “không có công ăn việc làm ổn định” (no stable job), “thu nhập bấp bênh” (unstable income), “chưa có công ăn việc làm” (unemployment), “tìm việc làm”, “có nhu cầu lao động” (seeking a job), “cần việc để làm” (needing a job), “đang có nhu cầu tìm việc làm” (needing to find a job), “muốn rời quê ra phố tìm việc làm” (seeking a job in urban areas), or “ở nhà đợi xin việc” (waiting for a job). The

theme “supporting family” includes the Vietnamese phrases: “phụ giúp gia đình” (to support their family), “có tiền phụ giúp gia đình” (to earn money to support the family), “có tiền gửi về cho gia đình trang trải nợ nần” (to send money back home to pay off the family’s debt), “muốn tìm việc làm để phụ giúp gia đình” (to look for a job to support the family) or “trả cho gia đình một lượng tiền” (the family is paid a sum of money).

With regard to the areas where trafficking victims are often recruited, the theme “rural or upland areas” is represented in Vietnamese by the phrases: “nông thôn” (rural area), “miền núi” (hilly area) “gái quê” (rural girls), “những cô gái ở vùng sâu, vùng xa”, “thiếu nữ đồng bào dân tộc thiểu số”, “các cô gái vùng cao” (ethnic minority girls who live in remote and mountainous areas), “cô gái ở bản” (girls who live in hilly hamlets), “vùng rừng núi nghèo khó” (impoverished hilly areas), “huyện miền núi” (mountainous district) or “địa bàn vùng sâu, vùng xa”, “bản làng vùng sâu”, “vùng nông thôn hẻo lánh” (remote and mountainous areas). The theme “wanting to marry a Chinese husband” in Vietnamese includes: “Có nhu cầu lấy chồng Trung Quốc” (there is a demand for marrying a Chinese man), “muốn lấy chồng người Trung Quốc” (to seek marriage with a Chinese man), or “muốn lấy chồng người nước ngoài”, “muốn lấy chồng ngoại quốc” (wishing to marry a foreigner). The theme “difficult personal circumstances” is represented in Vietnamese by the phrases: “hoàn cảnh éo le” (in a shameful situation), “có thai ngoài ý muốn” (a pregnancy out of marriage), “phụ nữ có lỡ thì, luống tuổi” or “phụ nữ “cứng” tuổi có nhu cầu xây dựng gia đình” (single middle-aged women supposedly to be alone, “Chán cảnh gia đình” (do not want to live with the husband any more), “mắc nợ” (indebtedness), “ly dị” (divorced), “chồng bỏ đi” (abandoned by the husband) or “bị chồng đối xử tệ bạc” (mistreated by the husband). As for the theme “poor education and the lack of social awareness”, it is described in Vietnamese by phrases: “nhẹ dạ”, “ngây thơ”, “cả tin”, “khờ khạo”, “dễ tin người”, “trẻ người, non dạ”

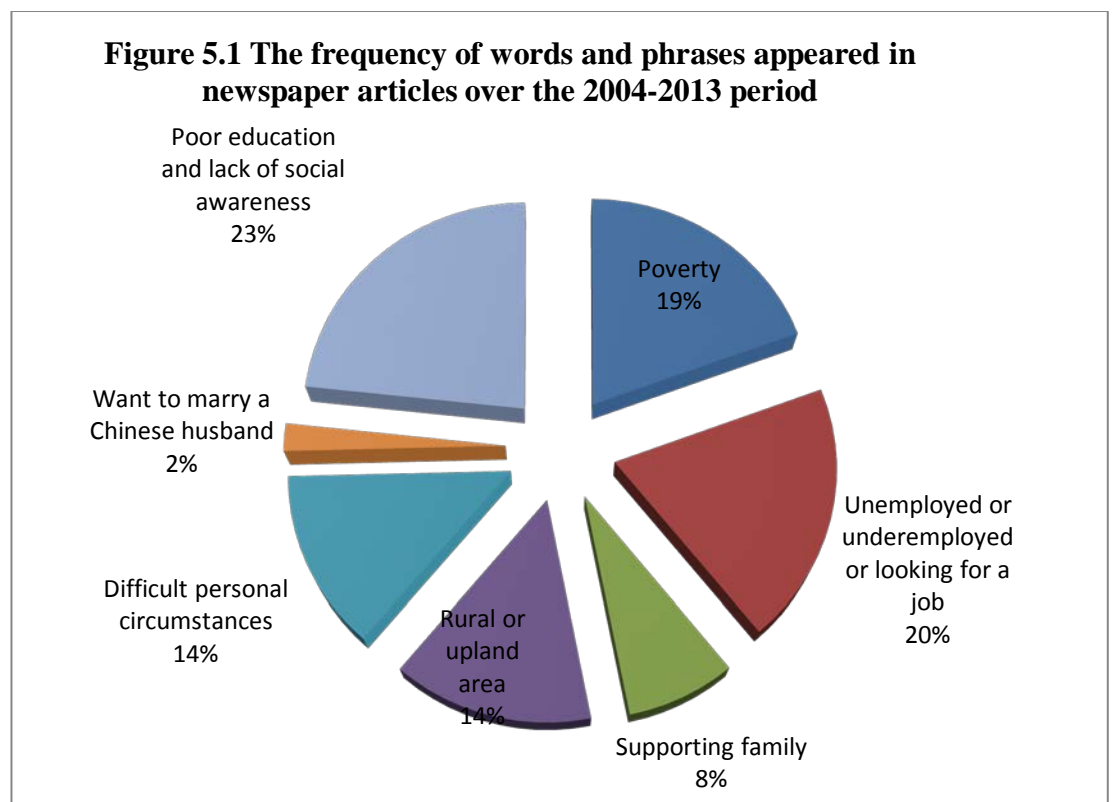
“thật thà, chất phác”, “không mấy may nghi ngờ” (gullibility or naivety), “thiếu hiểu biết”, “trình độ hiểu biết còn hạn chế”, “nhận thức còn hạn chế”, “dân trí thấp”, “nhận thức của người dân còn rất hạn chế”, “ít hiểu biết” “chưa từng bao giờ bước ra khỏi lũy tre làng” “cô gái quê chưa một lần ra khỏi lũy tre làng”, “chưa một lần ra khỏi bản” (lack of social awareness), “mất cảnh giác” (lack of vigilance), or “ít học” “trình độ học vấn thấp” (low level of education). The following Table 5.1 reveals the frequency of these words and phrases which appeared in 780 online newspaper articles on 326 incidents of the trafficking of women from Vietnam to China over the 2004-2013 period.

Table 5.1 Frequency of words and phrases appearing in online newspaper articles on 326 trafficking incidents over the 2004-2013 period

Year	The number of times different themes appeared in the texts of the articles						
	1	2	3	4	5	6	7
2013	18	13	14	8	17	0	20
2012	9	6	3	8	4	6	4
2011	6	9	2	8	8	0	9
2010	3	2	0	6	4	1	8
2009	9	10	1	10	4	0	11
2008	6	7	0	3	4	0	4
2007	8	9	3	2	1	0	7
2006	9	13	5	7	6	0	12
2005	3	1	1	2	2	1	12
2004	4	6	1	1	2	0	3
Total	75	76	30	55	52	8	90

Note: 1. Poverty; 2. Unemployed, underemployed or looking for a job; 3. Supporting family; 4. Rural area or upland areas; 5. Difficult personal circumstances; 6. Wanting to marry a Chinese husband; 7. Poor education and lack of social awareness.

The total frequency of the specified words and phrases over the ten-year period is represented in a pie chart in Figure 5.1. This shows that the theme of poor education and lack of social awareness, which accounts for 23%, was the most common factor that led trafficking victims to move away from home. This theme is followed that of unemployment or underemployment or looking for a job and then by the theme of poverty, which account for 20% and 19% respectively. Next, are the words and phrases representing the themes of rural or upland areas and the theme of difficult personal circumstances account for 14% each. The theme of supporting the family represents 8% of the total, and wanting to marry a Chinese husband accounts for the lowest percentage among the themes with only 2 %.



The findings from the analysis of the online newspaper articles confirm those from the analysis of interview data. Accordingly, poverty, being unemployed or underemployed or looking for a job, and being willing to migrate, difficult personal

circumstances, coming from rural or upland areas, supporting family and wanting to marry a Chinese husband are found to be push factors for the trafficking of women from Vietnam to China. Although the findings from the interview data show that there are close links between factors such as poverty, unemployment and supporting the family, the findings obtained from the quantitative content analysis suggest that poor education and lack of social awareness are the most powerful push factors of trafficking of Vietnamese women to China. In contrast, wanting to marry a Chinese husband is the least powerful push factor of those investigated.

5.3 Pull factors

5.3.1 Economic factors: the demands for unskilled and low-skilled labour

The demand for these types of labour in China stems from the following reasons. Firstly, as there is a huge movement of workers to big cities for high paid jobs, China faces a lack of unskilled and manual labourers in low paid sectors such as agriculture, seafood processing, crop growing and harvesting (such as in sugarcane farming), child toy assembly, plastics manufacturing, fishing, construction, and garment, shoe, and furniture manufacturing in towns and rural areas (Pham, 2013, Tuan Anh, 2014, Xinhua, 2010). Secondly, as the salaries of Chinese workers increase rapidly in response to the growing numbers of job vacancies in China's eastern coastal manufacturing hubs, a large number of low paid jobs which do not require skills are no longer wanted by Chinese workers (Bloomberg News, 2013, Ewing, 2010). Moreover, the working age of the Chinese population has started declining recently (Bloomberg News, 2013, Pomfret, 2015). This is creating a shortage of unskilled and low-skilled labour for the low-paid sectors in China, which needs to be filled by foreign migrants (Eimer, 2010). Additionally, Chinese employers like to employ Vietnamese migrant workers because the wages the employers pay to Vietnamese employees is half of the amount they pay to

local Chinese workers. Furthermore, Vietnamese workers are believed to be more obedient and hard-working than local workers (Bloomberg News, 2013, Dueck, 2010, Epstein, 2010, TN News, 2013b, Xinhua, 2010). Finally, the owners of factories in southern China also value Vietnamese workers as they easily integrate into Chinese society (Eimer, 2010). This makes it difficult for local Chinese police to find them, so that Chinese employers will evade the punishment meted out by the authorities for employing illegal migrants (Eimer, 2010). Moreover, Chinese factory owners can arbitrarily lay off these illegal workers if they do not want to employ them any more (Pomfret, 2015). When employing illegal Vietnamese migrants, Chinese employers also avoid paying for medical care, social security insurance and other benefits in accordance with China's labour laws (Bloomberg News, 2013, Ewing, 2010).

This shortage of low-paid workers is increasingly being filled by Vietnamese migrants (Ewing, 2010). Many Chinese employers issue notices about their labour recruitment practices and promise a significant commission for any Vietnamese workers who are working there if they bring any new Vietnamese employees to the company (Epstein, 2010, Pierson, 2010). The demand for labour and the supply of temporarily unemployed people from Vietnam have resulted in the establishment of labour broker networks which connect employers in China with employees in Vietnam (see Figure 5.2), facilitating the illegal movement of Vietnamese nationals to China (Pomfret, 2015, Quynh Vinh-Viet Ha, 2015). The brokers are often Vietnamese who are or used to be working illegally in China (Quang Ha, 2014, The Manh, 2014, Tran, 2014). A significant number of Vietnamese women who marry Chinese men and live there also become labour brokers (Hoang Lan, 2015, Tuan Anh, 2014, Xuan Mai, 2015). These brokers recruit their fellow villagers, relatives, friends or acquaintances to move to China for job opportunities (Hoang Lan, 2015, Minh Hang, 2015). These brokers often

charge migrant workers between 4 to 6 million Dong (about £115 to £190) for transportation and brokerage fees (Xuan Hoa, 2015, Xuan Ly-Dinh Vu, 2013). The vast majority of illegal Vietnamese migrants in China are engaged in manual jobs in different sectors and they face abuse and exploitation, including very poor working and living conditions, working without payment or with underpayment, working overtime, living with the threat of being arrested due to their illegal migrant status, and being physically abused by employers (Duy Hung, 2014, Mai Toan, 2015, Tuan Anh, 2014, Tuan Son, 2013).

Figure 5.2 Migrant workers smuggled into China from Vietnam and other Southeast Asia countries (Pomfret, 2015)



This pull factor attracts a large, albeit unidentified, number of Vietnamese unskilled migrants to go to China every year. Most illegal migrants end up being trafficked, exploited and abused (Ha An, 2014). For example, in Lao Cai province some 4,000 local people illegally travel to China for a job every year (Vietnamnews, 2015). On the Chinese side, one local official said that at least 10,000 illegal Vietnamese migrants came to Chongzuo city in Guangxi province (Xinhua, 2010). In 2014, within

only two weeks, 230 illegal migrants were stopped from crossing the border into China at the town of Mong Cai (Ha An, 2014). Illegal migrants travel to China not only as individuals but also in large groups organised by smugglers (Khac Kien, 2015). Migrants often find ways to evade border guards to illegally enter China (Khac Kien, 2015). For example, migrants are divided into small groups of two or three people rather than a large group. They approach a fixed point at the border and then all of them cross the border together (Duc Anh, 2015). China does not have specific legislation to regulate foreign migrant labour (Pham, 2013). As more and more foreign migrants come to China due to the economic opportunities there, the country seems to be tightening its immigration controls for foreign labour migrants who are unskilled workers (Eimer, 2010). The illegal Vietnamese workers in China are often rounded up and sent back to Vietnam unofficially while only a small proportion are officially returned through border gates (Pham, 2013). In addition, there has not been any official agreement between the Vietnamese and Chinese governments to allow citizens of one country to go to the other in search of a job (Chau Hoai Thu, 2014, Tran, 2014, Xuan Mai, 2015). Illegal migrant workers are not entitled to any of the rights which are stipulated in the labour laws of either China or Vietnam. All of these factors make illegal Vietnamese migrant labourers vulnerable to being trafficked, abused, and exploited.

5.3.2 Social factors: the thriving sex industry in the Chinese provinces in close proximity to Vietnam

There is a huge sex industry staffed by Vietnamese sex workers in Chinese towns and cities which are close to the Sino-Vietnamese border (DICSO, 2010, PSDLC, 2011, Van Bac, 2012). As the one-child per family policy in China has led to a shortage of women, Chinese men look for sex in brothels to satisfy their sexual desires (Quoc Viet,

2012a). Along the border between Vietnam and China, there are approximately 259 restaurants, hotels, guest houses, bars, massage parlours, hairdressers and other types of entertainment establishments, which recruit thousands of Vietnamese women who are working there as either sex workers or waitresses (Ngo, 2012a, PGD, 2011, VGSB, 2009). The local police in the province of Lao Cai has discovered that there are about 65 restaurants, hotels and karaoke bars in the Chinese town of Hekou sharing the border with Lao Cai city, of which 23 establishments offer sexual services provided by Vietnamese women (Public Security Department of Lao Cai, 2009). In particular, there are three prostitution hubs at Kim Minh, Po San, and Dien Sao with more than 300 Vietnamese sex workers under the control of about 60 owners and each brothel owner possesses five to eight Vietnamese sex workers and runs the sex business in the markets and border trade zones (C.O.07; Duong Quang Tien-Quoc Hong, 2009). Meanwhile hundreds of girls across Vietnam arrive at Hekou to sell sex (Bien Thuy, 2014), and about 80% of the Vietnamese sex workers in this town come from rural and hilly areas in Vietnam (Van Bac, 2012). In the border trade zone of Po Chai, which is opposite the Vietnamese province of Lang Son, there is a Vietnamese market with three rows of two-floor houses where a large number of Vietnamese girls sell sex to Chinese customers (ANTG, 2013). In the border town of Dongxing, which borders the Vietnamese city of Mong Cai, sex is provided by Vietnamese women in hotels, restaurants and red light areas and it is easy for anyone to find a sex service within a short time by asking those who provide passenger transportation services such as taxi drivers or motorbike riders (Quoc Viet, 2012a).

Although prostitution is illegal, the management board of the border trade zone still grants business licenses to brothel owners, who also pay tax to the local authority (ANTG, 2013). All entertainments establishment and restaurants which provide sex

services operate openly without fear of being punished by the local authorities (PSDLC, 2011). These brothels in China's borderland areas attract a large number of Vietnamese women who voluntarily go there to engage in sex work (C.O.13; Huy An, 2014, Lam Ngoc-An A, 2013). For example, in 2012, the local Chinese police in Que Lam city (Guangxi province) arrested five illegal Vietnamese sex workers who entered China to work in the sex industry (Huyen Huynh, 2012). In addition, as the sex business is seen as a lucrative one, a large, but unidentified number of Vietnamese women arrive in border trade zones and border towns in China to open and run sex businesses (C.O.08). As the lifetime for a sex worker is often less than eighteen months, brothel owners need to recruit new sex workers to satisfy the market demands and gaps left by retired sex workers (P.Ha, 2015). The sex workers who are kept in brothels are often between the ages of 16 to 26, and beyond the age of 26 they will often be replaced by new girls due to their loss of attractiveness to clients (C.O.13).

Apart from the number of voluntary Vietnamese sex workers in China's borderland, trafficked Vietnamese women are another source of supply for the brothel owners (Quoc Viet, 2012c). The lucrative business of sex is the main factor that drives criminal groups to get involved in the trafficking of Vietnamese women for forced prostitution, despite the harsh punishment according to China's criminal law (Mengjie, 2015, Quoc Viet, 2012c). Buying a trafficked victim costs the brothel owner about 30 million Dong (£900) but the exploitation of the victim can make up to 3 billion Dong (£90,000) in profit for the owner (Quoc Viet, 2012a). According to Mu (2015), a successful abduction and trafficking of a Vietnamese women from the border city of Dongxing to neighbouring Guangdong province could generate a profit of CNY3,000 (about £300) for criminals while one Vietnamese women is worth CNY10,000 (about £1,000).

It is believed in part of Chinese society that if a businessman has sex with a young virginal girl it will bring him “good luck” in his business (Cong an TP. HCM, 2006, Hoang Hiep, 2014, Lie, 2015, Liuhao, 2006). Therefore, there is a high demand for young virgin girls in China’s illicit market (Hoang Hiep, 2014, Liu, 2015a). Most of the Vietnamese girls trafficked to China are forced to go to a medical facility to verify their virginity. If the girl has not lost her virginity, the brothel owner will sell her virginity to a client for a significant amount of money varying from several thousands to tens of thousands RMB (approximately from hundreds to thousands of pounds) (Thuy Van, 2013). After being forced to sell their virginity, the girls will be forced to work as sex workers in the entertainment facilities (Quang Tan, 2012, Quoc Viet, 2012b, T.N, 2010).

5.3.3 Demographic factors: the shortage of local brides

There is a shortage of women and girls to meet the demand for marriage to Chinese men in rural Chinese areas (C.O.05;Ewing, 2010, MPS, 2013b, Pham, 2012, Zhao and Lockett, 2014). These men do not want to be a “bare-branch” as this is against the expectations of their family and traditional society (Minter, 2014). It is often difficult for a rural Chinese man to marry a local girl as the man needs to pay an unaffordable engagement gift and the local bride often requires a new house and car (Feng, 2014). According to Zhang (2014), getting married to a Chinese woman may cost a Chinese man as much as CNY400,000 (about £41,800). Therefore, buying a Vietnamese woman is often seen as an economical alternative to marriage to a local bride (Zhang, 2014).

Chinese men who buy Vietnamese women are often poor persons with a low level of education living in rural, hilly and remote areas (Hui and Blanchard, 2014, Minter, 2014, Tian, 2015b). The amount of money which is used to buy a wife is often borrowed from the Chinese man’s relatives in the village (Feng, 2014, Mengjie, 2015).

In some cases, Vietnamese women are bought as shared wives for all of the brothers in a rural Chinese family because they could not afford one wife each (Ha and Hoang, 2012, Nguyen, 2012). After marriage, the Vietnamese wife often has to work hard on the farm to pay off the debt of the husband's family, and to give birth to sons for her husband's family (C.O.16). As the shortage of women for marriage in many rural Chinese areas is so acute, Vietnamese women who are pregnant, not good-looking, divorced, or alone are also bought by poor Chinese men due to their low price (An Khanh, 2014, DICS0, 2010, Hoang Lam, 2015, NSB, 2014a).

In the Vietnamese border provinces, the local police discover many Chinese ethnic minority men who illegally cross the border into Vietnam to seek a wife (C.O.13). Marriages between Chinese men and Vietnamese women in these provinces are often part of the same ethnic minorities and most are not registered with local authorities (C.O.16; NSB, 2014b). There is a rising number of Chinese men looking for a Vietnamese wife through marriage brokers (Ewing, 2010). Hui and Blanchard (2014) report that there are an increasing number of matchmaking agencies in China operating tours for rural Chinese men to go to Vietnam with a tourist visa in order to buy a Vietnamese bride with a price of from CNY30,000 (about £3,100) to CNY50,000 (about £5,200). However, Chinese bachelors in the northern province of Hebei have had to pay more than CNY100,000 (about £10,000) to buy through a broker a Vietnamese bride who has married and lived in China for a long time (Zhang, 2014). In the same northern province of Hebei, a Chinese couple illegally earned a sum of CNY400,000 (about £41,800) by selling 34 Vietnamese women to unwed local Chinese men (Tian, 2015b). The Vietnamese brides are advertised as more obedient, hard-working and less greedy than Chinese brides (Ewing, 2010).

It is believed that the pattern of the trafficking of Vietnamese women to China has been created by the interaction between push factors in Vietnam and pull factors in China. The criminals take advantage of push and pull factors to traffic Vietnamese women to China. As mentioned in Chapter 3, the cross-border relations between the two countries contribute to the unique pattern of the trafficking of Vietnamese women to China. In the next section, this trafficking pattern is explored.

5.4. The pattern of the trafficking of Vietnamese women to China

5.4.1 Traffickers

There is a close collusion between the exploiters and brokers in China and the recruiters in Vietnam to establish transnational trafficking networks (C.O.01; DICS0, 2010, DICS0, 2012a, Nguyen, 2011a, PCLS, 2012, PSDLC, 2011). The vast majority of the traffickers who have been detected are Vietnamese nationals, making up almost 95% of the total number of criminals, while offenders who are Chinese nationals account for about 2% and the rest have other nationalities (SB, 2009). The trafficking of Vietnamese women to China often includes three main stages: (1) recruitment, (2) transport and transfer, and (3) receipt and exploitation (C.O.01). While the first two stages are mainly carried out by Vietnamese offenders, the final one occurs in China and is perpetrated by both Chinese and Vietnamese criminals (C.O.01). Both trafficking networks and individual traffickers traffic Vietnamese women to China.

5.4.1.1 Trafficking ringleaders and brokers in China

The networks of trafficking in women always start from China, where there is a lucrative sex industry, a growing number of potential “bare-branch” Chinese men and a high demand for cheap labour (C.O.01; C.O.05; C.O.16; C.O.20; DICS0, 2010). On China’s side of the border, the trafficking ringleaders are brokers or exploiters who

control the market in the buying and selling of women (C.O.05; PSDLC, 2011). These ringleaders stay in China, receiving trafficking victims from Vietnam and paying recruiters for their trafficking work (C.O.16). For example, Mac Thi Mai, who was a trafficking broker in the Chinese border town of Ning Minh before being arrested in July, 2013, often received trafficked victims and paid recruiters from Vietnam £150 to £200 per victim. She then resold the victims to other brokers in cities further inland for much higher prices of £600 to £900 per victim (C.O.16). The vast majority of ringleaders are Vietnamese women, who are brothel owners in Chinese borderland areas or marriage brokers for rural Chinese men (C.O.13; Dan Tam, 2011). These Vietnamese women used to be sex workers in China, but they have now opened and run their own brothels under the guise of entertainment establishments such as karaoke bars, massage parlours, hairdressers or restaurants (C.O.01; C.O.03; C.O.09). Their business is often co-run by local Chinese criminals who are their unregistered husbands or intimate partners. For example, the arrested ringleader Mac Thi Mai lived with a Chinese local criminal in the town of Ninh Minh in the province of Guangxi, China, from 2003 (C.O.19).

The trafficking ringleaders and brokers in China often establish differing trafficking networks into Vietnam to recruit women and maintain their supply of victims (C.O.22). Firstly, these ringleaders and brokers approach Vietnamese nationals, who go to Chinese border areas for petty trade, to visit, or for job opportunities, to offer them a large amount of money for luring and selling Vietnamese women to them (C.O.02; C.O.05; DICS0, 2011, NSB, 2013). The Vietnamese trafficking ringleaders or brokers also take advantage of any occasion to visit home, especially the Lunar New Year, to recruit new recruiters (My Trinh, 2013, Nham, 2012).

5.4.1.2 Recruiters

Recruiters, who are mainly Vietnamese nationals, are diverse but have a relationship with Chinese buyers (C.O.01; C.O.03; C.O.16; C.O.21; Hai Yen-Dang Hung, 2015). Firstly, recruiters are recruited by trafficking ringleaders or brokers in China when they do petty trade, visit, or look for job opportunities in Chinese borderland areas. Every day, there are tens of thousands of Vietnamese people crossing the border into China, and a number of them are invited by trafficking ringleaders or brokers to become involved in the lucrative business of trafficking (C.O.20). These recruiters are given a mobile phone number to communicate with the brokers or brothel owners in China when the recruiter has successfully recruited a victim (C.O.06; C.O.10; PSDCB, 2010). For example, one arrested recruiter said he visited a Chinese border village and just came across a man of the same ethnic minority and he said to him that he would earn a lot of money if he took girls to sell to the Chinese trafficker (C.O.05). Secondly, upon visiting their homes in Vietnam, ringleaders or brokers persuade their relatives, acquaintances or anyone they meet to look for Vietnamese women or young girls to sell to them (C.O.15; DICS0, 2011, PCYB, 2012, PSDCB, 2013). Some trafficking ringleaders give a sum of money in advance as a recruitment cost to Vietnamese recruiters in order to encourage recruiters to find and lure victims to sell to China (C.O.17). Finally, apart from trafficking cases committed by the collusion between ringleaders or brokers in China and recruiters in Vietnam traffickers, a number of individuals traffic Vietnamese women or young girls to China on their own (C.O.01; C.O.03). These individual traffickers play all of the roles of recruiter, transporter and seller while the buyers are brothel owners, brokers, Chinese employers, or Chinese men who buy women to become wives. A significant number of former sex workers, ex-

trafficking victims or Vietnamese brides traffic women and girls from their home village alone (C.O.15; Vu, 2012).

The educational background of recruiters show that the vast majority had not progressed beyond primary or secondary school, while only a few had further education (DICSO, 2011, DICSO, 2013, NSB, 2013, PCYB, 2011, PPCLS, 2011). In conjunction with the low level of education, offenders are mainly unemployed or underemployed (C.O.12; C.O.17; DICSO, 2010, SB, 2009). The main motive of the recruiters is to gain financial benefits from selling victims which is seen by them as a lucrative, easy and irresistible business (C.O.08; C.O.15). Some recruiters have previous criminal records including trafficking offences as well as other crimes, and especially cross-border crimes such as illegal trade, or gambling, appropriating property through swindling, or illegal prostitution and drug trafficking (C.O.22; SB, 2009).

Table 5.2 is based upon eight Final Investigation Reports and presents data that supports the previous finding that most recruiters are unemployed and get involved in trafficking networks to earn a living.

Table 5.2 Traffickers' background from eight Final Investigation Reports

	Charged traffickers	Living Place	Age	Career	Gender	Motive	Role in trafficking network
Case 1 (2013)	Hoang Thi An	Guangdong, China	31	Brothel manager	F	Money	Brothel owner/exploiter
	Tran Van Lam	Nam Dinh, Vietnam	27	Unemployed	M	Money	Recruitment, Transport and Transfer
Case 2 (2013)	Phan Thi Thu Thuy	Ho Chi Minh city, Vietnam	33	Unemployed	F	Money	Recruitment, Transport and Transfer
Case 3 (2012)	Ly Van Dung	Quang Ninh, Vietnam	27	Unemployed	M	Money	Transport and Transfer
	Tran Thi Nga	Dongxing, Guangxi, China	27	Unemployed (used to be a sex worker)	F	Money	Transport and Transfer

	Nguyen The Anh	Hai Phong, Vietnam	20	Unemployed	M	Money	Recruitment and Transport
	Vu Thanh Tung	Hai Phong, Vietnam	18	Unemployed	M	Money	Recruitment and Transport
	Nguyen Van Truong	Hai Phong, Vietnam	19	Unemployed	M	Money	Recruitment and Transport
	Ngo Thanh Loi	Hai Phong, Vietnam	22	Unemployed	M	Money	Recruitment and Transport
Case 4 (2012)	Le Quy Thao	Hai Duong, Vietnam	26	Unemployed	M	Money	Recruitment, Transport and Transfer
	Nguyen Van Kien	Quang Ninh, Vietnam	22	Unemployed	M	Money	Recruitment, Transport and Transfer
Case 5 (2011)	Hoang Van Binh	Quang Ninh, Vietnam	21	Unemployed	M	Money	Recruitment, Transport and Transfer
	Nguyen Thi Thuy	Quang Ninh, Vietnam	22	Seafood collector	F	Money	Recruitment, Transport and Transfer
Case 6 (2011)	Pham Van Thanh	Hai Phong, Vietnam	28	Unemployed	M	Money	Recruitment, Transport and Transfer
Case 7 (2010)	Hoang Trung Duc	Guangdong, China	24	Brothel owner in China	M	Money	Brothel owner, buyer and exploiter
	Ngo Quoc Hung	Nam Dinh, Vietnam	21	Unemployed	M	Money	Recruitment, Transport and Transfer
	Vu Thi Thanh Tam	Nam Dinh, Vietnam	16	Unemployed	F	Money	Recruitment, Transport and Transfer
	Le Van Duy	Nam Dinh, Vietnam	20	Unemployed	M	Money	Recruitment, Transport and Transfer
Case 8 (2010)	Len Thi Tuc	China	22	Getting married to a Chinese man	F	Money	Transport and Transfer
	Vi Thi Chien	Nghe An, Vietnam	42	Unemployed	F	Money	Recruitment and Transport

Table 5.2 also shows that 16 out of the 20 traffickers who were charged with trafficking, were unemployed, while two were brothel owners in China who had established trafficking networks in Vietnam. Only one of the offenders had a temporary job as a seafood collector, while the other perpetrator had married a Chinese man and lived in China. Apart from the two Vietnamese brothel owners, 18 of the traffickers

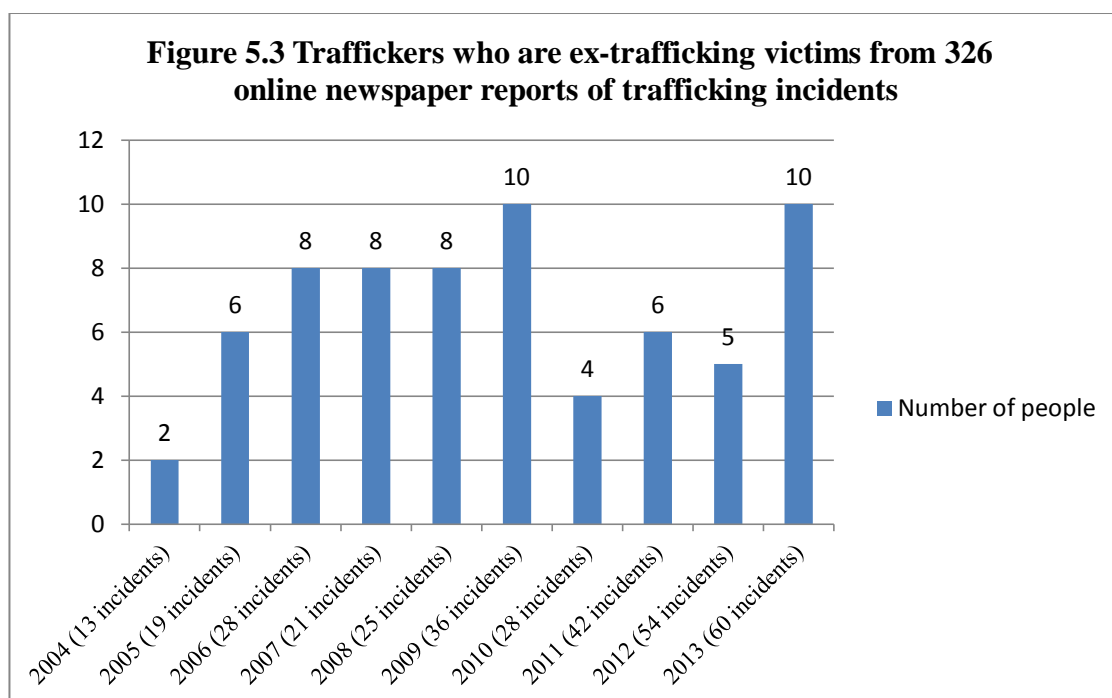
actually acted as recruiters or brokers in order to earn a living. They were also opportunist offenders as none of the final investigation reports showed signs of close collusion and formally assigned roles among members of the networks. In addition, only one recruiter had previously been convicted of a crime (stealing), while the rest had no previous criminal convictions. As Keo et al. (2014) point out, most traffickers are poor and low-educated people who are attracted to illicit opportunities for profit in the context of an economy in transition and globalisation.

5.4.1.3 Ex-victim-become-trafficker cycle

An increasing number of Vietnamese women who had been trafficked to China then become new recruiters to lure other Vietnamese women and girls to be sold to ringleaders and brokers in China (DICS0, 2013, Ha and Hoang, 2012, Ho, 2011, Hung The, 2013, Minh Hong, 2013, PSDCB, 2013, PSDLC, 2013, PSDQN, 2012). Many trafficked victims successfully run away from brothels, but instead of reintegrating back into their communities and reporting their cases to police, they choose to become new traffickers to lure other girls to be sold for money (C.O.01; C.O.03; C.O.15; C.O.16). Many Vietnamese migrants in China who were previously exploited by Chinese employers in brick kilns, mining sites, ceramics factories, workshops for assembling electronic components and other workplaces, then cooperate with Chinese employers to recruit new workers from Vietnam in return for a sum of money (C.O.20; Duc Anh, 2015, H.Phuc, 2015, Ha An, 2014). In addition, a significant number of Vietnamese brides trafficked into China take advantage of the shortage of brides in rural Chinese areas where they are living and lure other Vietnamese women and girls (C.O.03).

“There are some trafficking cases in which a woman is both a victim in one incident and an offender in another. In the first place, she is trafficked to China for a forced marriage and then she finds that luring a girl in her village is an easy way to make money. Therefore, she decides to come back home and lures another young girl to be sold to a Chinese man”(C.O.13).

The second generation of recruiters (ex-victims who have become traffickers) become more professional and cunning than others since these women have learned the ploys and tactics of trafficking that were previously applied to them (C.O.06; C.O.21; C.O.22). Due to the period of time they lived in China as trafficking victims, they have become experienced in the human trafficking market in China and they have also got used to coping with local authorities and the police in order to survive (C.O.10). A number of trafficking victims are forced by their owners to recruit new victims from Vietnam in order to pay off their debt (Nham, 2012). However, the vast majority of ex-trafficking victims become traffickers because of the lucrative benefits of trafficking (C.O.03). These new recruiters are tempted by a ringleader or a broker who tells them that if they lure a Vietnamese women or a young girl to China they will get a considerable amount of money ranging from several thousands CNY to tens of thousands CNY per victim (from several hundreds to more than a thousand pounds) depending on how young and pretty the victims are (C.O.03; C.O.16). Figure 5.3 shows statistics on the number of ex-trafficking victims who have trafficked other Vietnamese women to China.



5.4.2 Recruitment of the victims

5.4.2.1 Recruitment targets

The recruiters often develop a number of sub-recruiters to look for potential victims, especially in rural, hilly and impoverished areas (C.O.16; C.O.19). Firstly, the recruiters look for women and girls who are living in poverty or with financial troubles or those who are unemployed (Bui, 2012a, DICS0, 2013, NSB, 2014a, PGD, 2011). Additionally, women who have a low-paid, unstable job in hairdressers, bars or food shops, and female sex workers are targeted by recruiters (C.O.12; Hong Chuong, 2011, Huyen Vy, 2014, PPCLS, 2011, PSDLC, 2013, Yen Oanh, 2011). Recruiters also recruit potential victims on the Internet through social networks such as Facebook, chat-rooms and other chatting or message applications on smartphones (C.O.24; PCH, 2011). Recruiters frequently use the Internet to recruit young girls who are addicted to playing online games in Internet cafés in towns and cities, through the aforementioned “Cuu net” strategy (Nguyen, 2011d, PCH, 2010, PCH, 2011).

The traffickers also target at women and young girls who have family problems in remote, rural and upland areas, or those who want to marry a foreigner to escape poverty (Hung The, 2013, SB, 2009, Thach Thao, 2013). The targets the recruiters aim for are widows, single mothers, women who have problems in their family life (such as having an addicted or imprisoned husband, or being abandoned by their husbands), or middle-aged women who might find it difficult to get married (DICS0, 2013, Thach Thao, 2013).

Young girls who like adventure but cannot afford to travel far away from their homes due to lack of money are also targeted by recruiters. These are young girls who want to discover and experience new things outside their current living environment (C.O.01). The recruiters often approach potential victims and then offer them a free trip to a border market or town for shopping or tourism, but instead sell them to China (C.O.01).

5.4.2.2 Recruitment strategies

The most common tactics used by recruiters are false promises of a good job or a chance of getting married to a rich Chinese husband (Dang, 2004, Duong, 2014b, Le, 2000, Vu, 2006). In addition to that, the recruiters also pretend to fall in love with the victims to get their trust and then traffic them to China. The recruiters often learn information about women and young girls who are in financial trouble or suffering family breakdowns, so that they can use appropriate tricks to trap them into being trafficked (C.O.02; C.O.12; PL&XH, 2012, Viet Lam-Trong Hoang, 2013). When approaching these women and girls, recruiters often offer a false promise of life-changing opportunities to both victims and their families (Bui, 2012a). In many trafficking incidents, as the victims are often approached and recruited by relatives, friends, village fellows, acquaintances, or pretend boyfriends, they never suspect that

they will be sold to China (Hung The, 2013). This supports the argument of Shelley (2007: 126) that trust is an important element in human trafficking and that “trust is more easily established with someone from one’s ethnic, language or cultural group”. For example, victim “Ty” said that: “When a fellow villager phoned and offered me a job as an assistant for the owner of a shop with 3 million dong (£90) per month, I agreed because it is a huge amount of money” (T.V.04).

Potential victims are told that they can get a wage or a salary which is many times more than their income at home, while the job they will do is unskilled, manual such as cooking and washing at food-stalls in the market, merchandise transportation (especially clothes) from border towns to inland cities, food-stall cleaning and so on (C.O.13; C.O.24; DICS0, 2012b, DICS0, 2013, PPCLS, 2011). Victim “Huong” said “My acquaintance told me to go with her to work as an assistant in a rice noodle shop in the neighbouring province of Lai Chau. I thought it was a good job so I went with her” (T.V. 02). Female sex workers are recruited by traffickers with an exaggerated promises that they will earn easy money at the same job in China (N.Quyet, 2015, PPCLS, 2011). The victims are often offered a sum of money for travelling and are told that they can pay it back when they earn wages from the new job (C.O.14). Recruiters even give the parents of young girl money and tell them that this is part of the salary in advance for the job offered, or a dowry from a Chinese husband (C.O.15; Viet Lam-Trong Hoang, 2013, Yen Oanh, 2011). Because of their unhappy or deprived lives at home, the victims easily trust recruiters and accept the offers (C.O.10).

To recruit victims through the Internet, the recruiters often use three steps (C.O.21; Nguyen, 2011a). Firstly, they try to communicate and befriend potential victims on social networks such as Facebook, Zalo-Chat, or in chat-rooms (P.Thuy-T.Hoa, 2014, Thanh Quang, 2014, Thien Thanh, 2015, Tuan Nam-Phu Son, 2014).

Secondly, they regularly keep in contact with the victims (C.O.21; Thanh Hoang, 2014a). Sometimes the recruiters go even further and pretend to be boyfriends (DICS0, 2013, PCH, 2011, Viet Cuong, 2012). Recruiters try to develop relationships with these girls as soon as they can, and so they are generous with victims to earn their trust (C.O.05). Finally, they will invent a false reason to travel with the victims to China, such as offering the victim a free trip to visit a border market or a town, asking the victim to go with the trafficker to earn money for their wedding costs, or visiting the trafficker's relatives. The victims are then sold (C.O.13; C.O.23; NSB, 2013, SB, 2009).

With regard to recruiters who are ex-trafficking victims, they come back to the place where they lived before to look for and entice potential victims (C.O.9; C.O.12). Instead of talking about their real situation of having been trafficked, ex-trafficking victims pose as rich and successful women with fashionable clothes, jewellery, or other luxurious belongings (C.O.23; DICS0, 2011, Nguyen, 2011e, PSDCB, 2010). At the same time, the ex-trafficking victim makes the targets believe the illusion that they could have a bright future if they follow the same path (C.O.02). Potential victims may be told that their potential Chinese husbands are plantation owners or managers of large factories in big cities and if they do not hurry, the opportunity will be taken by other women (C.O.01; Anh Xuan, 2015, Quoc Huy, 2012).

5.4.3 Border crossing

5.4.3.1 Sino-Vietnamese border

The Sino-Vietnamese border goes through 166 communes, wards and towns which belong to 30 districts and two cities in seven provinces and there are five international border gates, four bilateral border gates, and hundreds of unofficial paths across this

border¹¹ (Ha and Hoang, 2012). Therefore, law enforcement forces find it difficult to control border crossing (C.O.08). For example, the province of Lao Cai shares a border 203 kilometers long with China, including a 60 km land border with the rest a river border. Apart from the border gates, where people and commodities go back and forth on a daily basis, the Sino-Vietnamese border land is a sparsely populated area. Similarly, Lang Son, which is one of the provinces where most trafficking cases occur, has a 325-kilometre border with the Guangxi Zhuang Autonomous region of China, and in addition to two international border gates it has a large number of unofficial footpaths into China (C.O.18).

Border cities between Vietnam and China are considered as key economic centres in the economic programme known as “two corridors, one economic belt” implemented on both sides, which also gained momentum after the China-ASEAN Free Trade Area agreement was signed in 2010. Therefore, the Vietnamese transport infrastructure has developed dramatically to connect big trading centres across the country, in particular the completion of the highway which connects the border gate of Lao Cai with the capital Ha Noi and the port city of Hai Phong. In parallel with the development of the political and economic relationship between Vietnam and China, legal papers for people to cross the border have been simplified and more crossing points have opened for the influx of people and goods (C.O.20; PCHN, 2009). The dynamic parallel markets which are located along the Sino-Vietnamese frontier draw a large number of people from both sides to search for economic opportunities (Nguyen,

¹¹ According to Article 1 of the Agreement on Land Border Gates and Regulations on Land Border Gate Management over the Sino-Vietnamese Land Border, which was signed by both governments in 2009, apart from nine border gates which have already opened, there are thirteen other identified border gates which will be opened later on by the bilateral decisions of both sides. An international border gate is defined as one that allows people, vehicles, goods and other legal items from either Vietnam or China, and a third country to pass through while a bilateral border gate is the one that only allows people, vehicles, goods and other legal items of Vietnam or China to pass through (Vietnamese government, 2009).

2011b). A large number of migrants from the rural areas of inland provinces in Vietnam, come to the Sino-Vietnamese borderland areas to search for a job (DICS0, 2013, Duong, 2014b). In the border town of Mong Cai, for example, temporary labourers and petty traders outnumber the local population (C.O.20). A large number of Vietnamese nationals come to the border markets on the Chinese side to hire kiosks and run trading businesses (Nong, 2011). Among them are an unidentified number of Vietnamese nationals establishing and running brothels in Chinese border towns, border markets and nearby areas (C.O.14). The number of sex business establishments run by Vietnamese people has proliferated rapidly in China-Vietnam border towns over recent last decades (Zhang, 2012).

In addition, there are massive daily cross-border movements of people between the two countries for the purpose of trade and commerce, shopping, and tourism (Feng, 2014, Ha and Hoang, 2012). It is estimated that there are tens of thousands within-a-day person-trips from Vietnam into China every day and a significant number stay there for different reasons (C.O.14). Due to the ethnic minority kinship and cultural relationships across the Sino-Vietnamese frontier, border residents from one side often cross to the other side via footpaths to visit relatives, look for a temporary job, and trade goods in the border towns on a daily basis (C.O.14; PSDCB, 2013, PSDLC, 2011). Chinese police hold that the recent increase in trade between the two countries stemming from the new international agreement goes hand in hand with a rise in crime, particularly in human trafficking along the Sino-Vietnamese border (Tian, 2015b, Wang and Pan, 2013).

5.4.3.2 Border crossing tactics

The traffickers take advantage of the flow of local people and goods passing over the border to pose as border residents to take victims across the border into China using

unofficial paths (Minh Hong, 2013, Nguyen, 2011b). The border areas that are the responsibility of border guards are huge and geographically complicated with many pathways, which provide advantages for traffickers in operating across the border (C.O.21). Criminal offenders on both sides take advantage of the open policy in immigration management and the long land Sino-Vietnamese border with a huge number of border crossing trails, small rivers and streams to traffic victims into China (C.O.17). The police Criminal Investigation division in the border province of Quang Ninh reports that, over the period from 2005-2011, while the local police rescued 110 trafficking victims (96 women and 14 girls under age of 16), the Chinese authorities sent back to Vietnam 610 trafficking victims (239 victims for brothels and 317 Chinese men's wives) (PSDQN, 2012). This shows that the number of successful illegal border-crossings of traffickers is significantly larger than the number of trafficking cases uncovered by professional anti-trafficking bodies in Vietnam.

Trafficking transporters often bring victims through the border on unofficial pathways. The border is crossed at night or in the late afternoon when the footpaths become deserted, while the border guards cannot conduct regular patrols due to a shortage of officers (C.O 13). In many trafficking cases, a local border resident who is familiar with the border crossings is used to lead victims and recruiters across the border to avoid detection from border guard forces (C.O.12; Hoang Trung, 2013). In addition, many illegal transportation services exist to convey Vietnamese people across the river to China without legal entry papers (Nguyen Tan, 2013). These transportation services use small boats to take undocumented people to China across the border river such as in the cities of Lao Cai or Mong Cai (C.O.09). In Lao Cai, I was conducting observations at two illegal border crossing points on the river between the two countries which had been identified by the local police, and I found that there were a number of

boat services available to take passengers from the Vietnamese side to the Chinese side and vice versa without exit or entry papers. If the traffickers are detected by local authorities, many tricks could be used to cover up the traffickers' crime.

“The victims were always told by traffickers that if they were questioned by law enforcement officers about the purpose of the trip, the answer would be to visit relatives such as a mother or sister living in China, or to go shopping” (C.O.21).

Traffickers have also taken advantage of the relaxation of Sino-Vietnam border-crossing legal documentation requirements to transport victims across the border legally. To do so, traffickers tell victims to take their identification card with them and declare to border guards that their purpose for entering into China is to visit relatives or a Chinese border town (C.O.12). While the majority of recruiters in Vietnam sell victims to only one trafficking ringleader or a broker in China, some recruiters look for other buyers who will pay more for victims than the previous ringleader or broker has (C.O.02; C.O.11; C.O.23).

5.4.4 Exploitation of the victims

Upon arrival into China, while women and girls who are good-looking will be sold for sexual exploitation, the rest will be sold to Chinese single men in rural, mountainous and remote areas as their wives, or they will be forced to work for Chinese employers (C.O.21). A significant number of victims are resold many times before being bought by their final owners (C.O.01; C.O.16). As the trafficking victims cost the brothel owners, Chinese employers or Chinese husbands a sum of money, they consider them to be their temporary assets (C.O.13). Many brothel owners not only run their own sex entertainment facilities but also buy new sex workers in order to rent them to other brothel owners (Thach Thao, 2013). The brothel owners rent victims from brokers or other owners for a certain period of time that can last weeks, months or years (PSDLC, 2011). The victims never get any income from their work. When the deal comes to an

end, the brothel owners will return the trafficked women back to the primary owners and they will seek another brothel owner to rent them to (C.O.13). As for retired sex workers, the owners can sell them to Chinese men who live in remote and mountainous areas (C.O.16).

To force the victims to sell sex, their owners firstly tell victims that they will be free to go if they pay off the cost of buying them and the only one way the victims can pay off the debt is to serve clients (C.O.01; C.O.05; Quoc Viet, 2012a, T.Hoa, 2013a, Thach Thao, 2013). The buying price that the owners tell victims is often exaggerated to more than ten times the real sum they paid for the victims (C.O.03; C.O.14). The brothel owners often force the victims to work hard to generate money for them (C.O.06; C.O.17). Many victims have to sell sex more than ten times a day to pay back their owners (Thu Hang-Mai Ha, 2012). After being trafficked to and exploited in China for several weeks to several months, the victims' appearance will be badly transformed due to the cruelty of the exploitation of their bodies (C.O.16). However, when the victims have paid off the buying price, they will be sold to other brothel owners, so that they have to bear a new debt (C.O.24). Victims who refuse to sell sex will be beaten up, locked away, and left without food until they agree to serve clients (C.O.01; C.O.06; C.O.11). The victim "Huong" recalled how she was forced to sell sex:

"When the brothel owner, a Vietnamese national, asked me to serve a client I refused. Then she told me I needed to work to pay off the sum she paid to buy me. Next day, when I continued to refuse, the owner slapped me and threatened me that I would have no way to come back home if I continued to refuse to serve clients. I thought I could not escape because I had no money and could not speak Chinese ... " (T.V.02).

Brothel owners often keep a close eye on the victims due to the risk that victims can run away or be kidnapped by local criminals (C.O.13). Victims who escape successfully may be likely to report the trafficking case to the police, which puts the trafficking network at serious risk. In addition, the brothel owners who rent trafficking

victims for their sex business for a period of time will have to pay a deposit against the risk that these victims will escape or be kidnapped. The Chinese local criminals or pimps who are business partners of the brothel owners are also responsible for keeping an eye on newly trafficked victims and maintaining order in the brothels and the sex market generally (C.O.08). These local criminals often kidnap sex workers from rival brothels and ask for a ransom or sell them to a new owner (C.O.13; Quoc Viet, 2012d). In a number of incidents, brothel owners have forced trafficking victims to use drugs so that they become addicted and have to rely on the owners (Nguyen Loan-Quoc Huy, 2009, T.Hoa, 2013a). Most trafficking victims are prohibited by their owners from keeping money or mobile phones as they would use them to escape or contact their families for help (Trinh Tuyen, 2012).

With regard to victims trafficked for forced marriages, the Chinese husband and his family often keep a close eye on the Vietnamese bride to ensure that she cannot run away, otherwise he and his family will lose the sum of money used to buy her (C.O.21). The victims are often locked away and have to do domestic jobs, take care of elderly relatives and do farm work under the close eye of the husband's family members and their relatives in the village (Thanh Hoang, 2014b). The victim is also forced to be responsible for giving birth to children, especially sons, to continue the husband's family line. The victims are often physically and sexually abused by their husbands and his family members (Thanh Hoang, 2014b).

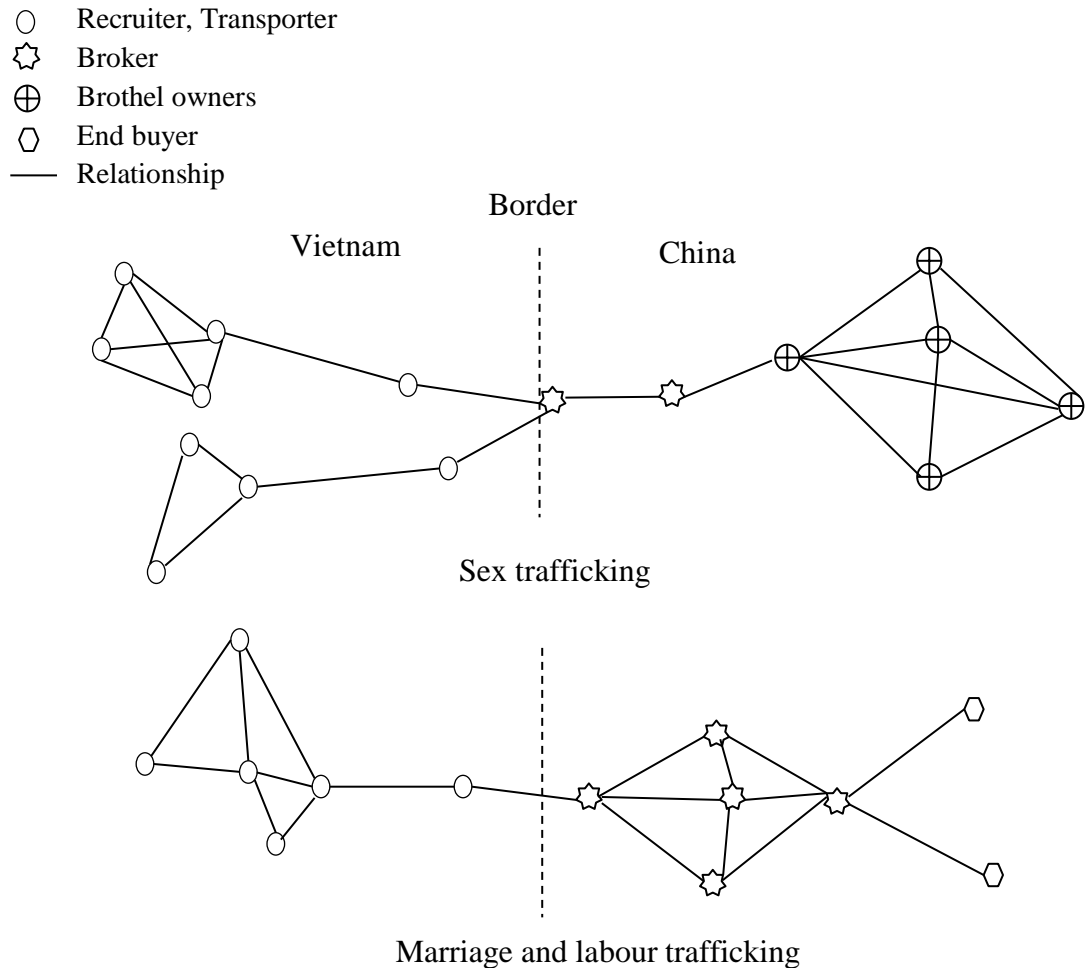
As for labour migrants, recruiters often charge new migrants an amount of money for travel expenses (C.O.20; Chau Hoai Thu, 2014, Hoang Lan, 2015, Minh Hang, 2015). The victims are illegally taken to and transferred to employers in China (Trong Duc, 2015). Next, they have to work overtime every day, live in bad conditions, are beaten by employers and hide themselves from Chinese law enforcement officers

(Nghia Hieu, 2015). As the Chinese employers want to force the employees to keep working, they confiscate their identity cards and withhold their salaries (Ha An, 2014, Thanh Van, 2014). Some Chinese employers suddenly tell the Vietnamese illegal workers that the local police are coming to arrest them and urge them to run away, so that these employers do not have to pay the wages to the Vietnamese workers (Ha An, 2014). The Chinese police's hard punishment against illegal migrants is used as a tool for Chinese employers to threaten their illegal workers (C.O.04; C.O.09; C.O.14). If they are rounded up by Chinese police, they will be detained, fined and then deported back to Vietnam (Ngoc Tung-Quang Son, 2014, Nhu Quynh-Duy Hai, 2015).

5.4.5 Diagram of the different trafficking networks

In this study, the data show that there are two dominant types of trafficking networks which are related to sex trafficking, and marriage and labour trafficking. These trafficking networks can be visualized through a diagram as Bruinsma and Bernasco (2004) point out that the theories, concepts and methodology of social network theory can be applied to describe criminal networks in general and trafficking networks in particular. There are three aspects of the trafficking networks that need to be concerned: the attribute of the structure of the network as a whole and the shared characteristics of the links of the network that a person takes, and relationships within the networks (Bruinsma and Bernasco, 2004).

Figure 5.4 Structure of the trafficking networks



Firstly, the data from interview and analysis of the final investigation reports and trafficking incidents from online newspaper reveal that the networks of trafficking in Vietnamese women to China have a chain structure. This chain structure presents three phases: Recruitment of women in Vietnam (conducted by Vietnamese national criminals), transportation of women over the land-border from Vietnam to China (mostly implemented by Vietnamese national offenders), and (sale and) exploitation of women in China (C.O.01). The same as Bruinsma and Bernasco (2004) describe the structure of criminal network of trafficking in women to the Netherlands, the network of transnational trafficking in women from Vietnam to China mostly includes some small clusters at both ends. In Vietnam, the clique often consists of two to five local criminals

who collaborate with each other to recruit victims, transport them over the border and sell the victims to the brokers for personal profit (NSB, 2014a). In China, the other cluster includes criminals who sell and exploit the victims (PCLS, 2012). The victims are sold a number of times around the brokers before selling to end buyers for exploitation (C.O.04). There is not any hierarchical relationship within the clusters (C.O.08; PGD, 2011). These clusters are segregated from each other because the recruiters in one cluster and exploiters and end buyers in the other cluster generally do not know each other very well only superficially (C.O.16). The clusters are linked to each other through transporters or brokers who keep profitable relationships with each other. This supports the view of Bruinsma and Bernasco (2004: 88) that there are criminals who take the responsibility as a “strategic bridging position” to connect the markets of the both sides.

Secondly, to understand trafficking networks, it is crucial to investigate the basic working methods and the criminals involved (Bruinsma and Bernasco, 2004). With regard to the working methods used by the trafficking network: In Vietnam, local criminals recruit victims among their relative, family members, fellow villagers, and acquaintances. The recruiters in Vietnam often form a clique of sub-recruiters to recruit victims in local areas and neighbourhoods (C.O.16; C.O.19). A number of recruiters are former trafficking victims (DICS0, 2013). They target women who are confronting economic and personal troubles in rural and hilly areas (NSB, 2014a). The trafficking victims are mostly taken into China through illegal footpaths between Vietnam and China while in the work of Bruinsma and Bernasco (2004: 85) it is found that “Often the women’s passports are forged to make access to the Netherlands easier”.

Thirdly, the data show that the mutual social relationships between traffickers within the networks are characterised by a small number of contacts, which indicates the

prevalence of instrumental relationships to gain personal profits (C.O.06; C.O.10; PSDCB, 2010). The traffickers' risks of legal punishment are relatively small partly due to the difficulties in attaining evidence of trafficking associated with the victims' reluctance to report their incidents to the law enforcement agencies (C.O.01; C.O.03). The legal punishment and financial risks associated with criminal involvement determine the level of trust between collaborating criminals (Bruinsma and Bernasco, 2004). As the financial risks for every link of the trafficking networks are low and limited, the cohesion of the collaborative relationships are loose and fragile (C.O.17; C.O.24). In addition, the density of the network is low. As noted in Chapter 5, the connections between links of the network are only active by using mobile phones when recruited victims need to be delivered to the consumer market (C.O.06; C.O.10). Exceptionally, a number of trafficking networks are ethnically based criminal groups or family based groups. That is because the demand for trafficked victims requires specific ethnic people and ethnically-based trafficker groups have an advantage over other ethnic criminals in operating the network (C.O.13; C.O.20). Moreover, it is clear from the Final investigation reports that most of the offenders are not specialist but opportunist criminals. The perpetrators actually make instrumental relationships when the demand for trafficked women and the supply of recruited women pair up.

Finally, although it is difficult to figure out to what extent the group of criminals form a cohesive social network, the description of the working method indicates that traffickers do not formulate cohesive social networks. The collaborative relationship between perpetrators involve one-off deals between casual acquaintances. Therefore, the traffickers often work freely in recruiting, transporting, selling and exploiting the victims. In other words, they are not like a fixed link of a cohesive network.

5.5 Discussion: the nature of push and pull factors, “second wave”, “cyclic goods” and organized criminal syndicates versus locally based organized groups

5.5.1 Push and pull factors

The findings of this chapter reveal the push factors for the trafficking of Vietnamese women to China. These include economic factors (poverty, unemployment and low income), social factors (poor education, lack of social awareness, family dissolution, and the shame of premarital pregnancy), and cultural factors (filial duty to support parents, the stereotype of hypergamous marriage with foreigners, and ethnic minorities' marriage customs). On the other hand, the pull factors in China are as follows: economic factors (the demand for unskilled and low-skilled labour), social factors (the thriving sex industry in the Chinese provinces in close proximity to Vietnam), and demographic factors (the shortage of local brides). With regard to economic push factors in Vietnam, the wider context reveals that negative side effects of the transition to a market economy implemented in Vietnam since 1986 and the trend toward international integration are the exacerbation of the disparity between rich and poor as well as economic gaps between regions (MPS, 2013b, NSB, 2012, Phan, 2011). Nonetheless, Vietnam has succeeded in eliminating poverty to some extent and in achieving the status of a low-middle-income country (Consular Department, 2012). However, the rapid urbanisation process which saw many new industrial parks established reduced available arable land in rural areas (Nguyen, 2011a). The problem of uneven development between cities and rural, mountainous and delta areas became serious (MPS, 2013b, NSB, 2012), and the rising demand for jobs to escape from poverty and unemployment has led Vietnamese women and girls to migrate in the search for economic opportunities, which makes them vulnerable to being trafficked (C.O.03). Answering the question as to why she accepted the offer to move, the

trafficked victim “Ec” said that: “He (recruiter) told me that I could get a daily pay of 150,000 Dong (£4.5) plus free food on a daily basis. This wage is much higher than my earnings from rice growing at home, so I just wanted to go....” (T.V.01). This is supported by the argument that:

“The rural economy, which is largely comprised of subsistence agriculture, offers little surplus and instead has lean periods at the end of each growing season. Marginal farming households find it difficult to sustain themselves on the produce of their meagre landholdings during these periods. The result is forced migration and vulnerability to the lure of jobs in other areas offered by traffickers” (Ray, 2005: 924).

In regard to social and cultural push factors, the findings match the arguments made by Aronowitz (2009) about the lack of job opportunities and dissolution of families. These findings are also commensurate with the claims by Cullen-DuPont (2009), Hughes (2007), Lee (2011) and Schwartz (2004) concerning feminisation of poverty and migration as powerful factors pushing women to migrate making them vulnerable to being trafficked. In addition, the findings also support the argument of Masika and Williams (2002) about the strong sense of filial piety among young girls in poor families in Vietnam. The findings also reveal that, while political instability and armed conflicts are considered push factors for human trafficking in the literature (Asis, 2008, Bales, 2005, Lasocik, 2010), they are not found to be push factors in the trafficking of Vietnamese women to China.

With regard to pull factors in China, one economic factor is the demand for unskilled and low-skilled labour. The findings show that there is a combination of a deficit of workers to fill unskilled and low-skilled jobs, and a preference among Chinese employers for Vietnamese employees and labour brokers. These findings match Aronowitz’s (2009) claim that higher wages and the active demand for migrant workers in combination with the existence of recruitment agencies and persons willing to facilitate illegal migration are pull factors for human trafficking. In addition, the

findings also support the suggestion by Aronowitz (2009), Jahic (2009), Ray (2005) and Van Liemt (2004) that unskilled or low-skilled job opportunities are pull factors drawing economic migrants from poorer countries. Because of their illegal status, lack of language and other skills, Vietnamese migrants in China become vulnerable to exploitation by Chinese employers. According to Wheaton et al (2010: 122) in cases where targeted persons are paid little or no wages and have limited agency, they are by definition trafficked victims and are “commodified”.

A further demographic pull factor is the shortage of local brides. The rural Chinese men’s demand for Vietnamese women to marry is attributed to China’s family planning policy implemented from 1979 onwards. Yet, serious shortages of women are not mentioned in the human trafficking literature as a pull factor in human trafficking. As Asiwaju (2007) points out, the women’s desire for a better future, which is believed to be obtainable in the country of destination, is one key pull factor as many Vietnamese women expect marrying a Chinese husband to be a way to achieve a better life (Le et al., 2007).

The final social pull factor identified here is the thriving sex industry in the Chinese provinces in close proximity to Vietnam. These findings match the argument of Lasocik (2010) which sees the demand for sexual services provided by migrants or trafficked victims as a pull factor in countries of destination. Hughes’s (2005) view is also supported that since pimps and brothel owners cannot recruit enough local women to satisfy demand and maintain sex service, they decide to bring in trafficked victims from other areas.

Based on conceptualisation of pull factors, which are factors that exist in the country of destination, the present findings support Aronowitz’s (2009) view that one of the main general pull factors is the high expectations of opportunities in other countries

and the stories of returning migrants or those whose families have profited from remittances sent home. Economic opportunities, the successful marriages of migrants, and visible remittances, which are also shared by ex-exploited labour migrants and ex-trafficking victims, make Vietnamese women and girls willing to migrate to take advantage of these apparently life-changing opportunities. However, there is no evidence in the findings to prove Aronowitz's (2009) claim that the high expectations of opportunities in other countries are boosted by global media and Internet access, as there is limited access to the Internet and most media in Vietnam are state-controlled and discourage risky economic migration. These findings also fill gaps in the literature review of pull factors that:

“A major and often neglected consideration in trafficking discussions is the “pull factor” of success stories emerging from destination countries. Whether true, exaggerated or entirely false, these stories play a major role in encouraging irregular migration” (Vijayarasa, 2013: 1026).

In a number of trafficking incidents, the traffickers did not offer victims false promises of a well-paid job somewhere in China, but instead in a Vietnamese city (C.O.02; C.O.14; T.V.01; T.V.02). However, the victim finally ended up being sold to people in China. The findings also match the argument of Wooditch (2012) that, in trafficking, the traffickers rather than migrants take a cost-benefit assessment into account to decide which country is the destination in order to optimise profits. Wheaton et al. (2010) claims that victims may not be aware of the place they will travel to because of the involvement of deception in human trafficking.

Asiwaju (2007) contends that one of the pull factors is the hope for a better life, good pay, and good living conditions, and a hope that these women and children will be able to escape from victimisation. Apparently, the findings in this section reveal that the vast majority of victims never suspected that they would be sold to China, or at least

they did not expect to experience the ordeal of being sold and exploited in China. According to Aronowitz (2009), increased ease of travel, with cheaper and faster travel opportunities and easier access to passports is seen as a pull factor in human trafficking. The findings reveal that easy Sino-Vietnamese border crossings are routinely taken advantage of by the traffickers. While the open border policy by two countries allows people and goods from one side to move to the other quickly and easily, the porous and permeable Sino-Vietnamese land border also lets criminals traffic Vietnamese women to China with ease. The long border route creates a great opportunity for criminals to traffic victims to China by small tracks or through border gates (Duong, 2014b).

The traffickers take advantage of both the push and pull factors to traffic Vietnamese women to China. The personal profit from selling victims is the most important motivation for recruiters to commit trafficking. This counters a common view that human trafficking is always committed by hierarchically-structured organised crime groups (Shelley, 2010). The findings also reveal that advanced means of communication such as social networks and mobile telephones are taken advantage of in the recruitment of victims and communication between traffickers. This supports Shelley's (2010) conclusion that globalisation actually creates a globally anonymous communication service such as using cell phones and high-speed Internet for traffickers who use these means for communication within their network and with potential customers and victims.

5.5.2 “Second wave”

What the trafficking cases dealt with by Vietnam's anti-human trafficking agencies draw much attention to is that a significant number of former trafficking victims later become traffickers (C.O.01; C.O.03; C.O.05; C.O.16; C.O.19; Pham, 2012). With regard to the ex-victims of trafficking, the risk of being re-trafficked is relatively low,

but the possibility that victims become traffickers is clearly significant (C.O.05). The victim-become-trafficker cycle is one of the typical interactions between push and pull factors in the trafficking in women from Vietnam to China. The findings make a contribution to the literature of so-called “second wave” or second generation traffickers as suggested by Kelly (2005a) and Turner and Kelly (2009). According to Kelly (2005: 46), “The so-called “second wave” refers to women who were trafficked and who have been offered, or somehow taken, the option of recruitment rather than continued sexual exploitation”. However, in the context of trafficking of Vietnamese women to China, most Vietnamese women of the “second wave” were no longer being exploited by their owner, and the lucrative potential profit from trafficking made them become new traffickers. Ex-trafficking victims often return with a false story of successful migration to lure new victims from their home villages. These ex-trafficking victims establish migratory networks between their home and localities in China, which are based on their trafficking experience, relations with potential victims in their home town, push factors in Vietnam and pull factors in China. Duong (2014b) holds that trafficking in women in Vietnam is a far more complex issue due to the involvement of female traffickers who used to be trafficking victims. These traffickers use their own experience as a victim to traffic other Vietnamese women to China.

5.5.3 “Cyclic goods”

One interesting fact is that due to the high demand for both marriage and sex services in China, many cases of “cyclic goods”¹², (“hang quay” in Vietnamese) occur. In this case, one woman impersonates a trafficking victim and another (a man or woman) plays the role of a trafficker (C.O.02). When they find a buyer, for example, a Chinese man who

¹² “Cyclic good” or “hang quay” only happens in provinces sharing the border with China, such as Lao Cai, Lang Son and Quang Ninh. The main difference between the pretend victim and the genuine victims is that the pretend victim voluntarily agrees to be sold while the traffickers use deception or force to sell genuine victims (Vu The, 2007).

wants to buy a Vietnamese woman as a wife or for sex, the pretend trafficker will make a deal with the buyer (C.O.05). Then, the pretend victim will be taken and sold to the buyer for a sum of money. In the next step, the pretend victim will manage to escape back to Vietnam from the buyer. The pretend victim will then get her money as a part of the false trafficking deal according to the collusion with the pretend trafficker planned beforehand (C.O.12). In reality, a number of pretend victims cannot escape from the buyers even though they always try to run away (C.O.22). Because the pretend trafficking victim can be re-sold many times in the same way to swindle buyer for money, this tactic is named as “cyclic goods” (Vu The, 2007).

Generally speaking, to swindle the buyers in China, the pretend trafficker and the pretend victim are often people who are experienced in human trafficking, and may be ex-sex workers or ex-trafficking victims (C.O.05). The pretend victim can manage to travel alone inside China and to find her chance to escape from her owner and come back to Vietnam as soon as she can (C.O.03). At the same time, the pretend trafficker often has the ability to trick trafficking brokers, brothel owners or Chinese men, and to negotiate prices, payment methods and so on (C.O.16). These pretend traffickers and pretend victims are often notoriously experienced in the illicit market of sex services and trafficking in borderland areas (Vu The, 2007).

5.5.4 Organized criminal syndicates versus locally based organized groups

The United Nations Office on Drugs and Crime view human trafficking as a transnational illicit business under control of organized crime, trafficking millions of people for tens of billions of US dollars every year (UNODC, 2008b). The involvement of organized crime in human trafficking creates challenges for national and international security (UNODC, 2009). In addition, human trafficking is one of the fastest growing transnational crimes due to the increasing demand and supply (Shelley, 2010).

According to Turner and Kelly (2009), there is a number of organized criminal groups involved in human trafficking to gain profit. On the other hand, Breuil et al. (2011) point out that there are small-scale, flexible and local-based networks of human trafficking. While the real number of trafficking victims is still unknown at national and international levels (Weitzer, 2014), Keo et al. (2014) claim that the literature on human trafficking is often conflated with human smuggling and prostitution with impressive estimates, claims and reports recycled by uncritical authors. Four studies conducted in different countries by Nair (2004), Levenkron et al. (2007), Steinfatt (2011) and Keo et al. (2014) reveal involvement of transnational organized crime in human trafficking is rare. These studies also found that human trafficking is generally committed by both individuals and small, loosely organized criminal networks. Nair (2004), and Levenkron et al. (2007) claim that poverty or financial troubles push the majority of perpetrators to engage in human trafficking to earn their living.

In this study, eight final investigation reports show that the trafficking organizations were simple: among eight incidents, two offenders operated alone, four included two perpetrators in a simple collusion, one had six offenders, and one consisted of four traffickers. Most offenders were unemployed opportunist offenders and the clique of recruiters did not have any formally assigned roles with the network. Among twenty offenders, there were seven female and thirteen male traffickers. According to Keo et al. (2014), the literature on human trafficking shows that organized crime often does not consist of female perpetrators. Most offenders were charged for their involvement in a single trafficking incident. Charged traffickers in all incidents formed relatively small-scale criminal networks although the Vietnamese police reports often warn about the trend of organized crime in human trafficking. This is supported by data of the interviews with law enforcement personnel that the groups of trafficker

often include two to five criminals in addition to individual traffickers. Eight final investigation reports also suggest that there is no evidence that these offenders are links of a hierarchically organized criminal group but rather they have the same background of being unemployed and poorly educated people. Noticeably, a number of offenders became acquainted with each other through another offender. All of them are motivated by personal profit to engage in trafficking of Vietnamese women to China. One of twenty offenders was an exploiter/brothel owner while the rest played roles of a recruiter and a transporter. Most offenders have mixed roles of both recruitment and transportation. With regard to the relationships between offenders and the victims, it is noticeable that all recruiters had prior relationships with trafficking victims: they are village fellows, friends, acquaintances, lovers and neighbours. This is supported by Zhang and Chin (2002) who conducted research about the rings of Chinese human smuggling. These networks of trafficking of Vietnamese women to China do not fit the characteristics pointed out by the United Nations Office on Drugs and Crime as they were small, ill-resourced, and loosely linked networks. As the trafficking offenders are motivated by personal profit, they occasionally and spontaneously take part in the networks as opportunist criminals. As economic motivation is the main factor for all traffickers to get involved in trafficking networks, the collaborative relationships between traffickers, especially recruiters and brokers is not stable and durable. Commonly, the recruiters often look for a new broker to gain a higher fee for the recruited women while the trafficking ringleaders and brokers in China often try to maintain their supply of victims (C.O.04; C.O.16). Therefore, one-off collusion is common among the cluster of recruiters, transporters and brokers. Because the networks of trafficking of Vietnamese women to China have a chain structure, there is no trafficking network under the operation of a hierarchically-structured organised crime

group. In addition, they have nothing like strategic collusion with an established leadership and assigned roles in the network. Transnational organized crime groups often get involved in human trafficking as an addition after they operate other illicit activities such as drug production and distribution, firearm smuggling, money laundering, robbery, and production of pornographic films (Keo et al., 2014).

The findings from the analysis of eight final investigation reports and interviews with law enforcement personnel do not support the claims that trafficking is orchestrated by transnational organized crime. The findings seem to support the work of Keo et al. (2014) who point out that most convicted traffickers in Cambodia were pulled in to trafficking as they lacked legitimate opportunities while illegitimate opportunities of trafficking were present. They operated simple trafficking networks unsophisticatedly for personal gains (Keo et al., 2014). It appears that push factors, such as poverty, lack of job opportunity not only push Vietnamese women to leave their home but also push ordinary people to get involved in women trading to earn money in the context of economic transition in Vietnam in particular and a globalized world in general.

This study found that the trafficking networks always start from China where demand for Vietnamese women is increasing (C.O.01; C.O.05; C.O.16; C.O.20). The trafficking networks are locally formulated by groups including unemployed acquaintances, ex-trafficking victims, fellow villagers and relatives. The collusions are occasionally committed between brokers and persons who often go to China across the land border for visits, petty trade, or a job opportunity. The cluster of sub-recruiters is developed and expanded to economically disadvantaged and deprived areas where victims are expected to be available for recruitment. These areas are often hilly and rural which are scattered throughout Vietnam. In the police's reports, they have already

identified a number of trafficking hotspots where most victims and recruiters are concentrated.

5.6 Conclusion

This chapter has answered two research questions: (1) what are the push and pull factors for the trafficking of Vietnamese women to China? and (2) what is the pattern of the trafficking of Vietnamese women to China created by push and pull factors? With regard to the first question, this chapter has revealed that the push factors include (1) economic factors (poverty, unemployment and low income); (2) social factors (poor education, lack of social awareness, family dissolution, and the shame of premarital pregnancy); and (3) cultural factors (filial duty to support the parents, the stereotype of hypergamous marriage with foreigners, and ethnic minorities' marriage customs). The analysis of online newspaper articles also confirms these findings. On the other hand, pull factors in China include: (1) economic factors (the demand for unskilled and low-skilled labour); (2) social factors (the thriving sex industry in the Chinese provinces in close proximity to Vietnam); and (3) demographic factors (the shortage of local brides). The following table shows how the themes emerge from gathered data

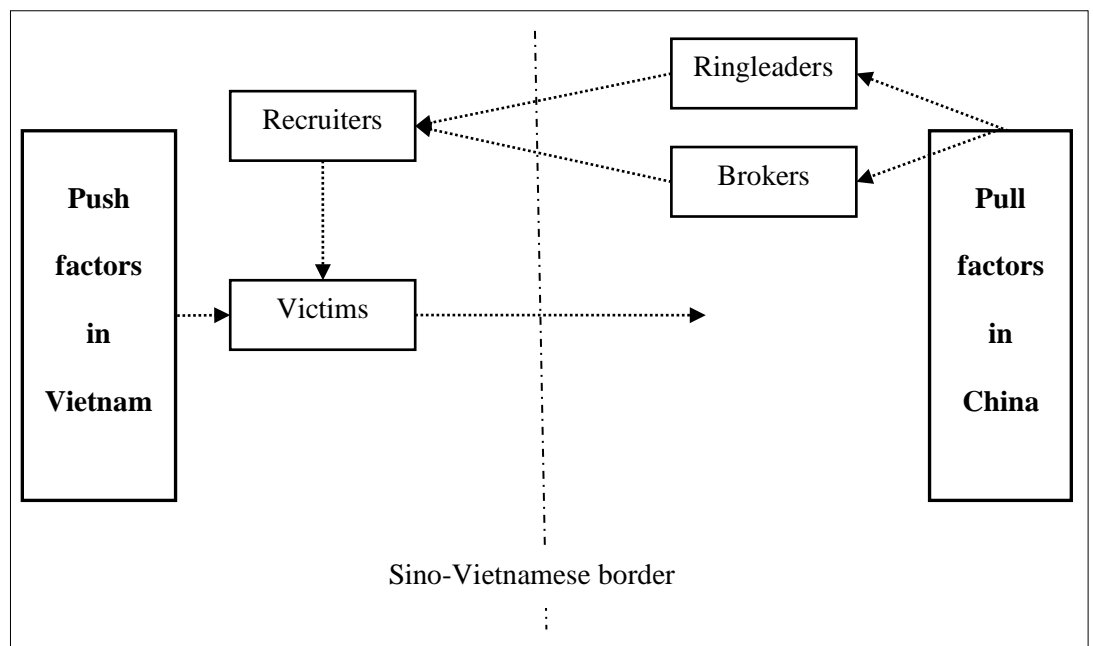
Table 5.3 The themes that emerge from the different data streams

Themes	Interview with the victims	Interview with law enforcement personnel	Online newspaper	Police's reports
Poverty	Y	Y	Y	Y
Unemployment or Underemployed	Y	Y	Y	Y
Low income	Y	Y	Y	Y
Looking for a job	Y	Y	Y	Y
Poor education	N	Y	Y	Y
Lack of social awareness	N	Y	Y	Y
Family dissolution	N	Y	Y	N
Shame of premarital pregnancy	N	N	Y	N

Filial duty to support parents	N	Y	Y	N
Stereotype of hypergamous marriage with foreigners	N	Y	Y	N
Wanting to marry a Chinese husband	N	Y	Y	N
Difficult personal circumstances	Y	Y	Y	Y
Marriage customs of the ethnic minorities	N	Y	Y	Y
Rural or upland areas	Y	Y	Y	Y

In regard to the second question, the findings have revealed who the traffickers are, how the recruitment of victims happens, how border crossing takes place, and how the victims are exploited in China. In addition, the findings also describe how Vietnamese criminals take advantage of the pull factors in China through the “cyclic goods” phenomenon. An integrated figure of push and pull factors and the pattern of the trafficking of Vietnamese women to China can be seen in Figure 5.3 below.

Figure 5.4 An integrated figure of push and pull factors and the pattern of the trafficking of Vietnamese women to China



The push and pull factors and the pattern of the trafficking of Vietnamese women to China shape the challenges facing counter-trafficking professionals in the combat against trafficking. The next chapter examines the difficulties and challenges that Vietnamese counter-trafficking personnel confront. Those challenges and difficulties are examined in accordance with the legal and policy frameworks set out in Chapter 3.

CHAPTER 6

TRAFFICKING DETECTION AND CHALLENGES TO THE INVESTIGATIONS OF THE TRAFFICKING OF VIETNAMESE WOMEN TO CHINA

6.1 Introduction

Kleemans (2011: 97) claims that: “As human trafficking is a complex crime with several specific characteristics, it poses various challenges for police investigation”. This chapter examines the challenges facing counter-trafficking personnel in investigations into the trafficking of Vietnamese women to China. Firstly, the challenges involved in detecting trafficking are explored. Secondly, the chapter examines the challenges of working with trafficking victims. Next, the challenges of building up evidence against traffickers are examined. Finally, challenges in regards to cooperation with China in the fight against trafficking are explored.

6.2 Trafficking detection

6.2.1 Gathering clues to the detection of trafficking incidents

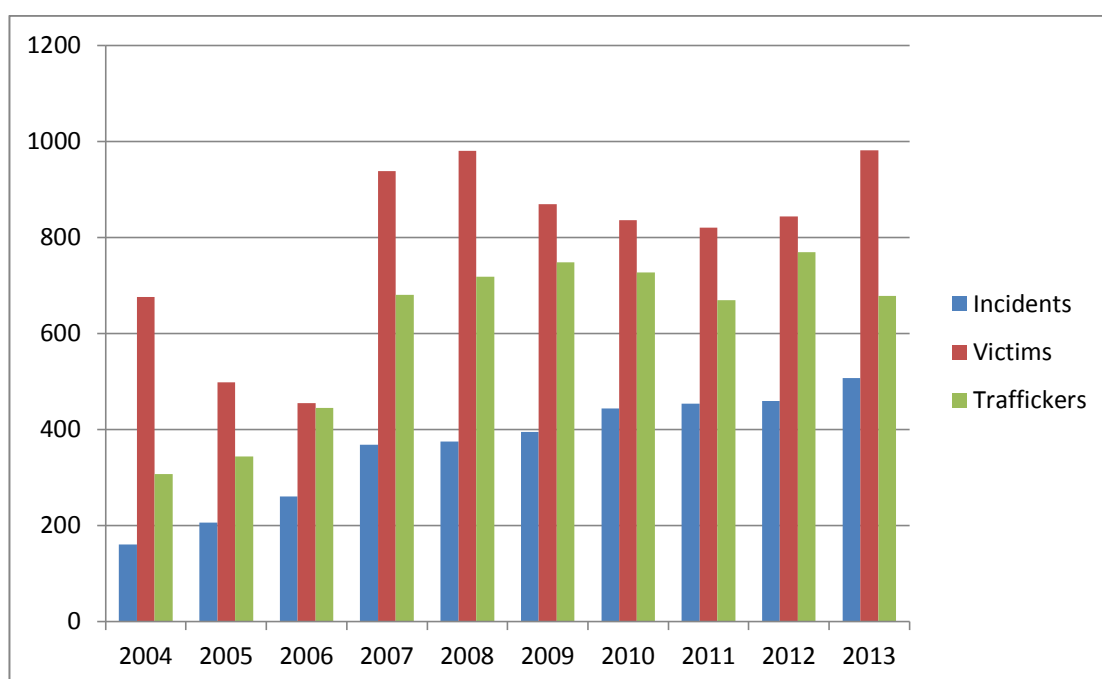
In 2004, when the National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010 (Programme 130/CP) came into effect, the number of detected human trafficking cases rose consistently thanks to the substantial increase in public attention and resource allocation from the central government (C.O.05; Pham, 2011b, Phan, 2011). The anti-trafficking government agencies identified 54 routes, 182 hotspots and thousands of border crossing points along the frontier (Le, 2013b). However, the effectiveness of the surveillance of suspected traffickers and trafficking networks is still limited (Ngo, 2012b, Nguyen, 2011c, Pham, 2011b).

The following Table 6.1 and Figure 6.1 reveal the numbers of detected trafficking incidents, victims and traffickers over the 2004-2013 period, which shows that the number of trafficking incidents uncovered has increased consistently.

Table 6.1 Number of trafficking incidents, victims and traffickers detected by counter-trafficking agencies over the 2004-2013 period

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Detected incidents	161	206	261	369	375	395	444	454	460	507
Victims	676	499	455	938	981	869	836	821	844	982
Traffickers	307	344	445	681	718	748	727	670	769	679

Figure 6.1 Number of trafficking incidents, victims and traffickers detected by counter-trafficking agencies over the 2004-2013 period



Clues in the detection of trafficking which are gathered by counter-trafficking officers often come from different sources of information such as offenders' confessions,

members of the public, mass media, labour export companies, tourism agencies, local register offices for marriage, diplomatic agencies, the government adoption unit, and immigration agencies (Pham, 2011c). Initial information on trafficking incidents also comes from international cooperation regarding criminal investigation. Counter-trafficking personnel conduct scheduled patrols on the border with China, particularly in the areas of unofficial border crossings, to try to find suspected traffickers attempting to cross over the border illegally (C.O.11). When frontline border guards detect the illegal border crossings of traffickers and victims at border crossing points, there is often little connection between the event and a trafficking incident. Anti-trafficking police officers also appeal to members of the public in trafficking hotspot areas to come forward with useful information about trafficking incidents (C.O.01). When police officers receive information from the public about a trafficking incident, such as a trafficking suspect or a potential self-returner, it often takes time for law enforcement personnel to verify the information (C.O.12). The criminal police at central and local level also have hotlines for the public to report trafficking cases (Quynh Hoa, 2013). Every year, law enforcement agencies open a campaign against human trafficking on the Sino-Vietnamese border route, from July to September, aimed to increase the detection of trafficking in identified hotspots and routes (Pham, 2011b).

However, the number of trafficking incidents detected by law enforcement agencies is only the tip of an iceberg, because it is difficult to detect this hidden crime (C.O.03; Nguyen, 2011f). The number of undiscovered trafficking incidents is still huge (Le, 2011, Pham, 2012). A large number of trafficking victims have been trafficked to China but they either cannot contact their family or escape from owners (C.O.01; C.O.06; C.O.13; C.O.17). These women and girls are considered as missing and counter-trafficking personnel often have to wait until they have new information to

identify them (C.O.05). There were about 25,000 missing women and children across the country in 2011 and the vast majority of them were believed to have been trafficked (Nguyen, 2011c, Pham, 2011b). The number of missing women and children increased to 30,000 in 2013 (Le, 2013b).

The detection of the trafficking of Vietnamese women to China relies heavily on the information reported by victims or their families (C.O.03; Pham, 2011c, Phan, 2011). In a significant number of detected trafficking incidents, a victim called their family to notify them that she had been trafficked and was being kept and exploited in China (C.O.01; C.O.06; C.O.14; C.O.19; C.O.24). This information is most always reliable and useful for counter-trafficking police officers because trafficking victims trust their family members most to ask them for help first (C.O.03). To detect human trafficking, it is important to identify if there is at least one trafficking victim who was sold or will be sold by traffickers (Dang, 2010). If no trafficking victim is identified, there will be no trafficking incident to investigate (C.O.19). When a woman or girl is missing and her family does not find her, they can choose to report the incident to the police (Pham, 2011a). Nonetheless, many families, especially among ethnic minorities in hilly and remote areas, do not report their missing daughters or female family members to the local police even though they think that they have been sold to China (Loi Chau, 2011, Minh Thu, 2012). In some trafficking incidents, the victim's families confront the traffickers and force them to compensate them for the act of selling the victims, otherwise they will report the incident to the police (Xuan Mai, 2011).

The counter-trafficking personnel often find it difficult to identify whether or not the missing woman has been trafficked, and if she was, where she is now in China (C.O.01; C.O.03; C.O.13; C.O.16; Dang, 2010). In many trafficking incidents, although the suspected trafficker admits that a Vietnamese woman has been sold to China, he or

she does not know where the victim is now. Therefore, the trafficking investigator finds it impossible to continue the trafficking inquiry until the trafficking victim successfully returns home (Phi Hung-Xuan Mai, 2012). In the border provinces, although local police receive many phone calls to rescue victims from within China, a significant portion of those are fake (C.O.16).

A significant number of trafficking victims do not report their victimisation to the authorities, and so the counter-trafficking officers find it difficult to detect the crime (C.O.03; C.O.09; C.O.12; C.O.17; C.O.22). Many trafficking victims who are sold to Chinese men as wives come to terms with their situation after a long period of time, so that they do not report the trafficking incident to the police when they visit family in Vietnam (Dang, 2010). In trafficking incidents where the victim became a trafficker after her victimisation, she does not want to report her victimisation to the police officer because she fears her criminal acts will be uncovered (C.O.07). In some trafficking incidents, trafficked returnees are threatened by traffickers not to report their trafficking to the police (Yen Nhi, 2010). In addition, the trafficking victims are often reluctant to come forward due to stigma and trauma (Nguyen, 2011a, Pham, 2011c). The victims do not want their family, villagers and friends to know they were trafficked and only a minority report their trafficking to the police (Nguyen, 2011f).

“Trafficking victims, who used to be sex workers before, often do not report their incident to the local police. Those sex workers had been lured to come to China to work as a sex worker for higher financial gain in comparison to Vietnam. They were not aware that in the situation they would be badly exploited by the brothel owners. They managed to escape back to Vietnam” (C.O.16).

To detect trafficking incidents, Vietnamese law enforcement officers, especially in the border provinces, identify trafficking victims amongst returnees (those deported, repatriated and self-returned) from China, including those women who come back home

by themselves and those who are returned by Chinese law enforcement agencies (C.O.05). Trafficking victims often account for only a small proportion of Vietnamese returnees from China. For example, the Chinese law enforcement returned more than 1000 in 2012 through the border gates of the Lang Son province and among them there were 17 identified trafficking victims (C.O.16). Upon their arrival at the Vietnam border gates, the returnees need to report their trafficking victim status to local police, otherwise the police will find it difficult to detect a trafficking case (C.O.20). Yet, when being rounded up by Chinese local authorities as illegal migrants, a significant number of trafficking victims who have been forced to be sex workers try to hide their trafficked status due to the fear that their families in Vietnam will find out and be ashamed (T.Hoa, 2013a).

“Some returned women do not report to Chinese police that they are trafficked but they go to China by themselves. However, when coming back to Vietnam, those women reported to Vietnamese law enforcement that they had been trafficked or had been deceived to go to China by someone who cannot be identified” (C.O.16).

When returnees are received at the border gates, law enforcement personnel will immediately take statements from those who are returned (C.O.5; C.O.16). If the trafficking victims try to hide their status, the police officer cannot detect the trafficking incident (C.O.05; C.O.17; C.O.19). In some cases, deported returnees, who illegally crossed the border, report themselves as trafficking victims in order to get financial assistance and to avoid punishment for illegal border crossing (C.O.07; C.O.16).

6.2.2 Trafficking detection from analysis of trafficking reports from online newspapers collected

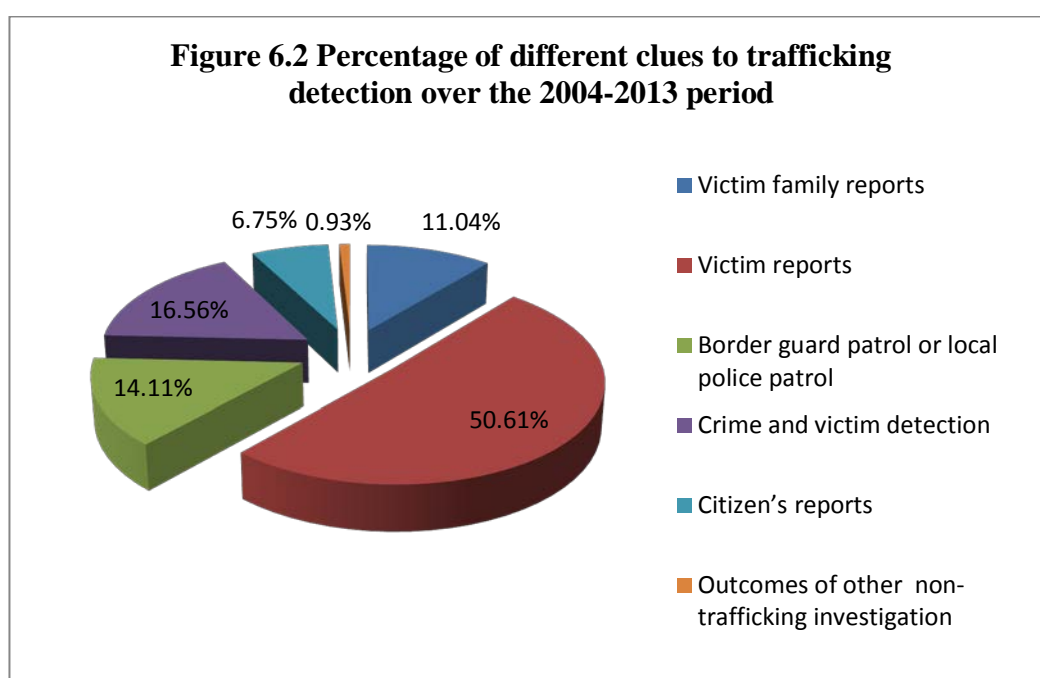
The following Table 6.2 shows that there are a number of different clues in the detection of trafficking incidents while Figure 6.2 reveals the percentage of different clues used to detect trafficking. The initial information can come from: the trafficking victim's

families; the reports of the victims who had experienced some or all stages of the trafficking process; the outcomes of a border guard or local police patrol; Vietnamese surveillance taken by the police or border guards; detection of the crime and/or victim; citizens' reports; or the outcomes of other non-trafficking investigations.

Table 6.2 Clues to trafficking detection over the 2004-2013 period

Year	2013 n=60	2012 n=54	2011 n=42	2010 n=28	2009 n=36	2008 n=25	2007 n=21	2006 n=28	2005 n=19	2004 n=13	Total N=326
Victim family reports about	11	7	4	2	6	1	4	0	1	0	36
Missing person	5	3	2	1	2	0	2	0	0		15
Missing person and suspect	5	3	2	1	4	1	1	0	1	0	18
Missing person and that she is staying in China	1	1	0	0	0	0	1	0	0	0	3
Victim reports	21	30	21	12	16	15	12	14	14	10	165
On transportation	5	1	1	1	1	0	1	0	0	0	10
From China	3	7	7	1	4	6	2	5	3	0	38
From Vietnam	13	22	13	10	11	9	9	9	11	10	117
Border guard patrol or local police patrol	2	4	10	7	9	6	2	5	1	0	46
By border guards	2	4	10	6	9	5	2	5	1	0	44
By neighborhood police	0	0	0	1	0	1	0	0	0	0	2
Crime and victim detection	19	8	5	4	1	3	3	6	3	2	54
Surveillance of suspects	16	8	4	2	1	1	3	1	1	1	38
Catching red-handed	2	0	0	0	0	0	0	0	0	0	2
Identifying returned victim	1	0	1	2	0	2	0	5	2	1	14
Citizen reports	7	4	1	3	3	0	0	3	0	1	22
Eye-witnessing kidnapping	1	0	0	0	1	0	0	0	0	0	2
Information about suspects	6	4	1	3	2	0	0	3	0	1	20

Outcomes of other non-trafficking investigation	0	1	1	0	1	0	0	0	0	0	3
Vietnamese citizen-related crime which happened in China	0	1	1	0	0	0	0	0	0	0	2
Crime which happened in Vietnam	0	0	0	0	1	0	0	0	0	0	1



More than half of the 326 trafficking incidents (165 cases or 50.61%) were detected due to direct reports from the trafficking victims who experienced at least one stage of the trafficking process from Vietnam to China. Accordingly, the victims' reports were divided into three categories. Firstly, the victims realised their trafficked situation when they were at the transportation stage, and then they turned to the local police or border guards for rescue and protection (D.Lam, 2013, T.Hoa, 2013b, Thai Thuy, 2013, X.Mai-T.Thuan, 2013). There are only ten incidents in this category. Secondly, the trafficking victims were being kept and/or exploited in China and they managed to inform their family members of their situation (T.Hoa, 2013a, T.Hoa,

2013b). Then, this piece of information was ultimately reported to the Vietnamese police for help (Ha Hang-Tran Tam, 2012, Le Hoang, 2013, Xuan Mai, 2012b). There are 38 incidents in this category. The third category includes victims who ended up being exploited for a while in China, then managed to escape back to Vietnam and reported the incident to the police (Ha Anh, 2012, Thanh Hoang, 2014b, Tuan Anh, 2012). The third category accounted for a majority of the incidents (117 out of 326 cases).

According to Table 6.2 and Figure 6.2, 54 out of 326 trafficking incidents, or 16.56%, were detected through surveillance measures carried out by the police and border guards. Of the 54 trafficking incidents, there are only two cases in which the traffickers were caught in the act (D.Luong-Trinh Nguyen, 2013, Trinh Nguyen, 2013). In striking contrast to that, 38 trafficking incidents were detected by conducting surveillance on suspects in the recruitment and transportation stages of the trafficking process (Le Thach, 2013, T.Nhung-M.Nhat-T.Nguyen, 2013, Trieu Son, 2013). The other 18 incidents were detected by identifying victims who had returned from China, but without coming forward (Trung Hieu, 2008, Xuan Mai, 2011, Yen Nhi, 2010). Of the 326 collected incidents, 46 trafficking incidents, or 14.11%, were detected by patrols of law enforcement personnel, in which 44 cases were found by border guards making regular patrols along the border with China (A.Hieu, 2013, Nguyet My-Duc Linh, 2013). In addition, two cases were detected by police patrols in residential areas (Ha Hoang-Minh Thai, 2012).

Among the 326 detected incidents, 36 incidents, or 11.04%, were uncovered by the victim's families reporting to the police about their missing family members. Half of them (18 incidents) indicated that the missing person was allegedly sold to China by a suspect (Minh Tien, 2011, Phuc Hien, 2013, Xuan Mai, 2012a). In fifteen incidents, the

victim's families only reported their female relative was missing, without giving specific clues about where she was (KD, 2013, Thanh Son, 2013, Thong Thuy, 2013). There were only three cases in which the victim's family reported the missing woman and then also reported that the missing woman ultimately contacted them from China to notify them that she was staying and working in China without further information (Viet Lam-Hoa Sim, 2013). According to Table 6.2, 22 trafficking incidents, or 6.75 %, were detected by reports from local residents. Of the 22 incidents, there were two cases in which the citizens witnessed the acts of kidnapping and forcing the victims to cross the border (CATP, 2013). Twenty trafficking incidents were uncovered by citizens reporting suspected traffickers to the police or border guards (Doan Quang, 2013, Kim Thai, 2013). Among the 326 trafficking incidents, only three were uncovered in the course of other non-trafficking investigations. Two incidents were revealed during murder investigations related to Vietnamese citizens in China (Anh The-Quoc Do, 2011, NDT, 2012) while the remaining incident was found when the traffickers tried to ask the victim's family in Vietnam for a ransom (Le Thanh, 2009).

6.3 Challenges in identifying and rescuing trafficking victims in China, and coping with the lack of trained personnel and funding

6.3.1 Challenges of victim identification and victim rescue from China

Kelly and Regan (2000) claim that, in trafficking investigations, the rescue and safety of the women are put first and then the next priorities are arrests of offenders and asset seizure. Nonetheless, "A major challenge that law enforcement faces in the wake of human trafficking is the hidden nature of the crime, making it very difficult to identify victims" (Kingshott, 2014: 104). The verification and rescue of trafficking victims is the most important issue in investigating trafficking incidents as the successful verification and rescue will be a firm basis upon which to officially investigate the trafficking

incident (C.O.03). However, identifying the status of trafficking victims and rescuing them from China are very challenging for Vietnamese counter-trafficking personnel (C.O.01; C.O.05; C.O.16; C.O.20).

When the Vietnamese police receive a request for rescue via telephone, the Internet and mail from a potential victim's family member or alleged victim being held in China, they will begin to verify the report and then gather other necessary information concerning the potential trafficking incident (C.O.16). Upon the request for rescue from the victim's family, the police officer has to prioritise victim identification and rescue. (C.O.16). The frontline police officers will finally assess whether or not the missing woman has been trafficked to China. In reality, there are also many false requests for rescue made by those who are not trafficking victims.

“The brothels owners in China cooperate with each other to exchange and purchase sex workers, but they also find ways to sabotage the business of their rivals. One of the ways is that they learn about the identity of Vietnamese sex workers owned by their opponents and then they impersonate someone else to phone Vietnamese police for rescue action” (C.O.19).

If the police have grounds to believe that it probably is a trafficking incident, they will promptly plan to rescue the victim. The challenge for the rescue team is how to locate the whereabouts of the victim in China. In many trafficking situations, victims are not located because victims' family members do not have information about where the victims are held in China. When it is verified that the trafficking victim being held in China, a rescue team will try to get in touch with the victim to get the necessary information. The victim will be told to find out the address where she is being held (C.O.19). However, this information is often rather difficult for the victim to discover because the vast majority of trafficking victims are kept locked away, are not able to speak or read the Chinese language, and are blocked from using any means of

communication (Minh Thu, 2012). Moreover, traffickers regularly move trafficking victims around from place to place as a business and security strategy (C.O.12).

Ensuring the safety of trafficking victims during a rescue operation is one of the most challenging issues for the rescue team. Whilst the rescue team needs to encourage the victim to keep calm and try to obtain information about the location, they have to be sure that communication with the victim is confidential. If the victim's owner, pimp, or Chinese husband and his family find out that the victim intends to escape or contact anyone to run away, she will be beaten up cruelly and the owner will also move the victim to a new place or sell her to another buyer (C.O.22). When making sure about where the victim is being held, the police in the border provinces will inform Chinese local counterparts in Yunnan or Guangxi of the rescue request (C.O.05; C.O.17; C.O.19). For other non-border provinces, the challenge is that they cannot make direct contact with Chinese local police to ask for the rescue. Instead, the local police will require the Department for Investigation into Crimes against Social Order and Interpol Vietnam to liaise with Chinese counterparts at a central level for the rescue whilst they also seek help from the police in the border province where there is local cooperation with Chinese local police. However, the rescue requests through Interpol Vietnam and ministerial agencies often take time to be processed (C.O.03).

Another difficult aspect of rescuing victims is that the operation will be launched in China, outside Vietnamese police jurisdiction. The Vietnamese rescue team becomes dependent on China, only providing the required information to their Chinese counterpart in the rescue efforts. The information required for victim rescue is sometimes difficult to gather. For example, Chinese local police sometimes ask for the victim's family member's DNA, especially in the case of children, to assist in identification (C.O.19).

Apart from formally asking the Chinese police to rescue trafficking victims who have been located, the Vietnamese local police agencies will in a number of rescue campaigns contact a good Samaritan, or a “nguoi tot”¹³ in Vietnamese, who is a police informant and who wants to help trafficking victims to escape back to Vietnam (C.O.17; Quoc Viet, 2012e, Quoc Viet, 2015). These “good persons” will impersonate a client who needs to buy sex to access the trafficking victim if she has been forced to work as a sex worker. The “good person” will facilitate a plan for the trafficked victim to escape back to the Sino-Vietnamese border to let her return home (C.O.16).

“This way of operating trafficking rescues is often quick and effective in which those good persons of the police can cover the area where the victim is being kept. However, this way also puts the victims and rescuers at risk of being detected and targeted for revenge by the brothel owner and trafficking enforcers” (C.O.19).

6.3.2 Lack of trained personnel and funding

While the traffickers always change their trafficking tactics and strategy to adapt to new anti-trafficking measures, the lack of trained counter-trafficking personnel, especially at the local level, hampers the detection of trafficking networks (C.O.07; C.O.11; Nguyen, 2011a, Nguyen, 2011f, Phan, 2011). The criminal police division and police at the district level should gather trafficking-related information in local areas to establish a database of trafficking suspects, hotspots, groups vulnerable to trafficking and trafficking routes (C.O.18; C.O.24). The counter-trafficking agencies in the border provinces often suffer from work overload (C.O.20). This is due in part to a large number of unexpected victims, who are trafficked from far inland provinces and are found or rescued in the border provinces (C.O.05; C.O.10; C.O.17; C.O.19). In addition,

¹³ A “nguoi tot” is not necessarily an agent but a person who voluntarily devotes himself to rescuing and assisting trafficking victims (C.O.18). In 2014, during one Trafficking in Person Report ceremony, the US Department of State honoured Mr. Ta Ngoc Van, a Vietnamese national, who had personally helped more than 300 trafficking victims. Tens of victims who had been trafficked and kept in brothels in China had been located and returned back to Vietnam by Mr. Van. He is often invited by the anti-trafficking police to arrange and undertake covert operations to facilitate victims’ release from China.

the victims who return from China often report their trafficking incidents to local border authorities (C.O.11).

“In my opinion, it is necessary to establish a new exclusive unit in the border provinces, which can be capable of both gathering intelligence on and investigating trafficking incidents. Currently, there are 11 police officers in the anti-trafficking team, but these officers also work on non-human trafficking crime such as burglary, stealing, robbery, vandalism and so on. Therefore, they do not have enough time and resources to deal with human trafficking” (C.O.20).

The most difficult problem that the anti-human trafficking police face is the lack of financial resources to rescue trafficking victims and detect trafficking incidents (C.O.01). While local anti-trafficking police officers often have to travel a long way to remote and hilly areas and distant parts across the country to gather and verify trafficking-related information, the funding allocated for this task is inadequate (C.O.06; C.O.09). As the number of incidents of the trafficking of Vietnamese women to China increases, the number of detected trafficking incidents will go up if more financial resources and anti-trafficking personnel are allocated to the fight (C.O.17). In the border provinces, there are a large number of people using entry and exit papers to cross the Sino-Vietnamese border on a daily basis while the law enforcement agencies do not have enough human and financial resources to monitor this movement of people to uncover trafficking incidents (C.O.05; C.O.17; C.O.20). With regard to rescuing victims, the expenses required to rescue a victim who is trafficked to a far inland Chinese province are high and beyond the annual budget allocated for the combat against trafficking in the border provinces (C.O.16). In addition, the local Chinese police often offer payments to their Vietnamese counterparts when they help to arrest Chinese criminals but the local Vietnamese police do not have financial resources allocated to do the same for the Chinese police (C.O.18).

6.4 Challenges to building evidence for a trafficking case

6.4.1 Challenges of working with trafficking victims

Gallagher and Holmes (2008) claim that trafficking victims play an important role in the prosecution of traffickers and their accomplices. As trafficking victims are degraded as a type of commodity which is sold and bought by traffickers, it is important for the victim to testify against the trafficker about her status of being seen as a commodity (C.O.04). Although traffickers may confess to having sold the victim, the investigator still has to get the victim's statement in order to prosecute (C.O.08). In trafficking incidents where victims are recruited via the Internet, traffickers always use fake names and the victims actually do not know the addresses of the perpetrators (C.O.10). To track down this group of recruiters, trafficking victims are often invited to join the investigation team in identifying traffickers by conducting surveillance on trafficking suspects (C.O.13). Trafficking victims are also the most important eyewitnesses of trafficking incidents (Nguyen et al., 2012). They are able to provide valuable information concerning the trafficking process, such as who the traffickers are, the methods of recruitment and transportation used, the trafficking route and what the exploitative activities are, which can be used to question trafficking suspects (C.O.02). Undoubtedly, the statement of the victim is far more detailed and direct than one given by anyone else such as the victim's family members or other witnesses (C.O.03).

There are a number of reasons that encourage trafficking victims to testify against the traffickers. Firstly, the vast majority of trafficking victims desire that the traffickers are arrested and justly punished (C.O.01). Rescued victims often actively cooperate with investigators to give evidence of the crime, as they are grateful to law enforcement personnel (C.O.03). Finally, the appalling exploitation and shock of deception also motivate the victims to testify against the offenders. However, some

rescued victims exaggerate their exploitation in order to ask for more compensation from the offenders (C.O.15). A significant number of victims try to cover up the fact that the traffickers took advantage of them (C.O.22). For example, they say that they were completely innocent and naïve victims rather than that they were willing to migrate and too quick to trust the traffickers without being cautious enough (C.O.02; C.O.22). To cover up their “faults” such as being too willing to go with the recruiter or being too gullible and therefore deceived, a significant number of victims tell false stories about how they were recruited (C.O.05).

On the other hand, there are a number of reasons that trafficking victims are discouraged from testifying about the trafficking incident. Firstly, victims and especially those who come from quite well-educated backgrounds and respected families, do not want their trafficking story to be known to the public and their local community. They fear that the story of being forced to work as a sex worker will make their family lose respect and good reputation. (C.O.01). Trafficked ethnic minority victims who are married feel embarrassed if their community found out that she was willing to go to China with the recruiter in search of a new family life (C.O.03). Most victims do not want to be traumatised again and they simply wish to build a new life and put behind them the ordeal of being trafficked (Nguyen De, 2011).

“Most young girls, who are deceived and trafficked to China for sexual exploitation do not want to talk about their terrible experience of selling sex. The police officers have to encourage them to report what happened to them” (C.O.03).

Secondly, in a number of trafficking cases, the perpetrators threaten to retaliate against the victims, so victims do not dare to report traffickers to the police (C.O.03). In a significant number of trafficking incidents, trafficking victims needed to have their rights and obligations explained to them as well as the importance of their testimony in

proving the crime and prosecuting the offenders (C.O.03). The police officers sometimes struggle with the victims to get the true information about the trafficking incident. Although the police officers know that the victim sometimes does not tell the truth about the incident, they still have to express their sympathy and try to encourage them to tell the truth (C.O.05). Furthermore, in a significant number of incidents the victim's family discourages the victim from reporting her incident to the police because the traffickers are kin (PSDLC, 2013).

“There are many trafficking incidents in which the victims and traffickers are within an extended family such as aunts, uncles and nieces. The victims' families express sympathy to the offenders and formally request the law enforcement agencies not to prosecute or to reduce the punishment of the traffickers” (C.O.03).

The low level of education and lack of awareness of trafficking victims hinder them from reporting their incidents to law enforcement personnel (C.O.03; C.O.11; C.O.17; Nguyen De, 2011). Trafficking victims often see their consent to going with the perpetrators as their fault (C.O.06). With regards to trafficking incidents which are detected on the way to China, particularly at the illegal border crossing points, the challenge is that trafficking victims are not aware that they are being trafficked (Viet Lam-Trong Hoang, 2013). A victim may not testify against the trafficker as she still thinks that her fellow traveler is taking her to China in a search of a good job (C.O.06). Some victims tell law enforcement personnel a false purpose for the trip, previously prepared by the traffickers to avoid being detected. In cases where the traffickers are pretending to be boyfriends or fiancés, the victims even try to defend the traffickers (C.O.14; Viet Lam-Trong Hoang, 2013). In a number of cases, whilst traffickers admit to committing trafficking, the woman trafficked does not see herself as a trafficking victim (C.O.03; C.O.16). This means that traffickers can escape legal punishment, because if there is no trafficking victim there will not be a trafficking incident (C.O.21).

Apart from that, some trafficking victims return home after a long time away and cannot remember and give useful information about the trafficking suspect, such as concerning timing, places, payment and other details of the trafficking acts in accordance with Vietnam's Procedural Code 2003 (C.O.05; C.O.15). In addition, a significant number of ethnic minority victims do not understand the police's questions, and so they cannot answer them correctly (C.O.09).

“In one trafficking case, when I asked a victim, who was a student at a pedagogic college, about how many kilometres between her rented accommodation and her college where she was trafficked, she said she did not understand the question. She was supposed to understand due to being a student. That made me feel frustrated” (C.O.08).

Finally, the vast majority of trafficked returnees who are staying at the Social Welfare Centres want local police to let them go home as soon as possible after escaping or being rescued from China (C.O.08). Therefore, the police officers need to do their best to get the victim's statement prior to returning her home (C.O.05). Actually, the local police find that some victims make false statements about their addresses because when they try to contact these trafficking returnees again in relation to further legal proceedings they are not there (C.O.19).

6.4.2 Gathering evidence of selling and buying victims

According to Amendment Penal Code 2009 and its Guideline 01, trafficking is defined as the acts of using money or other material benefits in exchange for people. All of the evidence has to prove the acts of selling and/or buying of a person. In other words, to pursue the prosecution of traffickers, the investigators need to gather evidence to prove the purpose of the offenders was for “personal profits” when transferring or receiving a person (Hoang, 2008, Le, 2013a). For example, if a good Samaritan pays the brothel owner for her or his forced sex worker with the intent to free her from the brothel, this good Samaritan will not be seen as a trafficker (Le, 2013a). However, it is difficult to

gather evidence of the acts of exchanging people for money or other material benefits in compliance with the criminal law.

Firstly, the acts of selling and buying frequently take place in China when recruiters transfer the victim to the broker or brothel owner (C.O.16; Pham, 2011c). The recruiters' receiving of money from trafficking brokers or ringleaders often happens out of sight of the trafficking victims. Most trafficking victims only know their trafficking situation when the buyers tell them or when they are forcibly exploited (C.O.03). In addition, in order to keep the victims in debt bondage for a longer time, the owners often tell the victims of an exaggerated sum of money which was spent to buy them (C.O.07). For example, to force a trafficked victim to accept working as a sex worker, the brothel owner bluntly said "he [recruiter] sold you to me for 30 million Dong [approximately 900 Pounds], so if you earn enough money to pay off that sum, I will let you go" (C.O.03). During the investigation, to learn the price of a victim, the investigators often have to question the offenders or use the victim's statement. Exploitation and abuse also happen in China, and so gathering evidence to verify detailed information and to prove that the trafficking-related acts occurred is very difficult (C.O.21).

Secondly, as mentioned, investigators say that the victim's statement against the traffickers is the main and most crucial evidence to allow the perpetrators of trafficking to be charged (C.O.01; C.O.03; C.O.05; C.O.14; C.O.19; Pham, 2012). Yet, in a significant number of incidents, trafficking victims return home after a long period of exploitation in China, and a number of them do not remember the details of what happened to them. A number of victims give their statements about their trafficking but it has little value to prove the trafficking acts of selling and receiving money (Pham, 2011a). In addition, most trafficking victims, who are rural women, had never left their

places of residence until being trafficked and so it is difficult for them to recall a long journey to a distant destination (C.O.10).

Recruiters learn many ways to avoid being tracked down by investigators (C.O.02; C.O.13; C.O.22). Some traffickers use mobile phones to contact and deceive victims, but soon after a victim is sold to China, the traffickers get rid of that mobile phone's SIM card to avoid being tracked by the police (C.O.11). Vietnamese recruiters often do not stay at one address, but are moving around even in China to avoid being arrested (Pham, 2011a). In a number of cases, recruiters use fake names and addresses. They often meet the victims in a café or a public place, so that most victims do not know who the traffickers are or where they are living. Therefore, the police officers have to struggle to identify the traffickers (C.O.06). The reply from a victim, "Hong", reveals how difficult it is to identify the trafficking suspect.

"She [recruiter] was my new acquaintance whom I met at bus station when I made a trip to the city of Dien Bien. She told me her story, and then she and I just exchanged our phone numbers. And one day she called and offered me the job... and I went with her" (T.V.07).

Although the victim's statement on the selling and buying acts is the most important evidence to charge the suspect with trafficking, this statement will not be enough to prove the crime (C.O.03; C.O.05; C.O.20). For example, in a significant number of cases, only one returning victim is accusing the offender of selling her to China, but the accused consistently denies the accusation. If no more evidence can be found, the accused will be freed without charge when the time limit for detention has expired (C.O.20). Most investigators who were interviewed in the present study claimed that it is legally necessary to gather other evidence which matches and supports the victims' statement in terms of timing, places, tricks and methods of recruitment and transportation and trafficking-related details such as sexual exploitation, rape and

physical abuse. However, in most trafficking cases, it is quite difficult to gather the other evidence apart from the victims' statement. On the long journey of trafficking, there are rarely witnesses, usually only the trafficker and the victim (Pham, 2011a). Other physical evidence which would be valuable in proving the crime, is also rarely found (C.O.05; C.O.17).

In many incidents of labour exploitation, Vietnamese women are smuggled to China by their fellow villagers or acquaintances and then end up being exploited by Chinese employers (C.O.01; C.O.13; C.O.14). As mentioned in Chapter 5, these villagers or acquaintances are people who had previously been exploited and abused in China, but they are told by Chinese employers to recruit employees at home in return for a sum of money depending on the number recruited. They know that the smuggled people will be exploited and abused in workshops, kilns, plantations or farms in China because the Chinese employers often withhold employees' papers, keep their salary, underpay them for their labour, force them to overwork and take advantage of their illegal status (C.O.01; C.O.04). In those incidents, the police officers are not able to charge the smugglers with trafficking as there is no act of selling or buying to be proved. In addition, they cannot charge the Chinese employers because it is out of Vietnamese police jurisdiction. Instead, the investigators can only charge the smugglers with the crime of organising or coercing other persons to flee abroad or to stay abroad illegally (Article 275 of the Amendment Penal Code 2009).

Typically, while the trafficking process starts by recruiting victims and is followed by transporting them within Vietnam, the next stages happen in China's jurisdiction, including transferring, receiving, reselling several times and exploitation (C.O.04). More importantly, recruiters and transporters are just interested in transferring the victims and receiving money irrespective of the purpose of the buyers (C.O.16).

Local police learn that the brokers on the Chinese side tell the Vietnamese recruiters that they will pay 7 million Dong (£200) per Vietnamese woman if the recruiter successfully takes the victims to the Sino-Vietnamese border areas (C.O.17). The final purpose of exploitation will be decided by the end-buyer while the previous links in the chain may not know what that end purpose will be.

“The brokers in China never say the purpose of buying Vietnamese women to Vietnamese recruiters, and tell them that they should not be concerned about that. In fact, if the purpose for selling the victim for profit is not demonstrated, there will be no trafficking victim, therefore there will be no trafficking”(C.O.18).

There are many trafficking incidents in which the traffickers are detected at the stages of recruitment, transportation, or crossing the border. In such incidents, in order to prove trafficking it is crucial to demonstrate that the motive and purpose of the suspected traffickers was to sell the victims in China for personal profit (C.O.01; C.O.03; C.O.14; Nguyen, 2013a). In reality, many trafficking suspects successfully escape from prosecution because no purpose of selling the victim is proved (C.O.05; C.O.20). In these incidents, it will be very difficult for frontline investigators to prove the traffickers’ purpose of selling the victims for personal profit before the acts of selling and buying happens in China, as traffickers often try to cover up their purpose (C.O.07; C.O.14). This is because most victims are not yet aware that they are being trafficked, and so they even protect the traffickers while the offenders insist that they are just traveling with the victims to China to look for a job or other normal reasons (C.O.05; C.O.13). In some incidents, although the suspected traffickers admit to trafficking in the first place, they retract their confession and blame the frontline law enforcement officers for forcing them into their previous admission (C.O.20). In addition, as mentioned previously, when the law enforcement officers discover the trafficking incident at the transport stage, the trafficking victims normally do not know

that they are being deceived and trafficked to China and therefore it is difficult to collect a victim's statement against the traffickers (C.O.02).

Finally, with regard to "cyclic goods", over the course of the fieldwork, the interviewees shared two ways in handling this phenomenon. In the first, the investigators thought that an investigation should be launched into the acts of swindling and that the Chinese buyers should be considered as victims of the scam of fake human trafficking perpetrated by Vietnamese criminals (C.O.01; C.O.17). In the second, although there is collusion between a pretend trafficker and a pretend victim before the transaction, the pretend trafficker could become a real offender if he/she changes his/her mind to secretly and genuinely sell the pretend victim (C.O.05; C.O.08). One interviewee pointed out that this incident can be a potential trafficking case if the pretend victim reports the incident to the police as a real victim of trafficking (C.O.08).

"In some cases, despite the collusion between a pretend trafficker and a pretend victim, the pretend trafficker literally sells the pretend victim. If the "trafficker" clearly sells the "victim" for money irrespective of the agreement between them, it will be a trafficking case, otherwise it will not be. Therefore, although collecting evidence which presents the original purpose of the suspects is very important, it is difficult to do so in order to charge the suspect with trafficking"(C.O.05).

Although local police, especially in border provinces, learn the trick of "cyclic goods", it is very challenging to gather evidence to prove whether or not the alleged trafficking incident is a case of "cyclic goods" unless the pretend victims confess to their agreement with the pretend seller (C.O.07). Therefore, when the exploited pretend victim returns and reports to the police, the local police have no choice other than to charge the sellers with trafficking (C.O.08).

6.5 Discussion: the association between the reactive response, victim identification and the victim's burden in trafficking investigation

The findings revealed that, whilst the overwhelming number of trafficking incidents came to light from information given by the victims themselves, a small number of incidents were detected through surveillance operations of law enforcement agencies. As the reactive responses to human trafficking are begun with the victims' complaint, the findings show that the response of counter-trafficking personnel is mostly reactive. A proactive strategy is required, however, to deal with trafficking in women effectively (Kelly and Regan, 2000). The proactive approach assumes that the anti-trafficking law enforcement officers cannot expect trafficking victims to inform them of the incident or ask for help (Kelly and Regan, 2000). Instead, as recruiters have to look for "commodities" and a market for their "product", the police officers concentrate on monitoring places where there are potential victims targeted by recruiters and the routes that traffickers use to take the victims to the market to sell (Kelly and Regan, 2000).

Due to the reactive approach to the trafficking of Vietnamese women to China, the role of the trafficking victims in trafficking investigations is crucial. Therefore, trafficking investigations in Vietnam are started by identifying the victims. The identification of the victim in the investigation and prosecution is necessary because it differentiates human trafficking from human smuggling (Lee, 2011). Yet, trafficking victim identification is very challenging. Trafficking victims are a hidden population. A number of Vietnamese trafficked victims are still kept in China while an unidentified number of trafficked returnees do not report their trafficking status to the police for many different reasons. One of the reasons is the relationship between victims and traffickers, and "victims are often too afraid to file a report" (Verhoeven and van Gestel, 2011: 148). In addition, an unidentified number of victims think that if they come

forward and the legal proceedings start, their community will learn about their story which will negatively affect their own lives and their families' honour (Vijayarasa, 2013).

Although the detection of trafficking in the proactive approach does not require the victims to inform law enforcement personnel of the trafficking incident, the next investigative stages to punish the traffickers require the cooperation of the victims as informants and witnesses (Dinan, 2008, Gallagher and Holmes, 2008). According to Kingshott (2014: 109) "victims are the primary source of evidence in human trafficking investigations; therefore, securing victim cooperation is critical". The victims' cooperation with the criminal justice officials should be promoted by genuine incentives in addition to the legal provisions for the protection and support of the victim (Gallagher and Holmes, 2008). Yet, according to Programme 130/CP, only 30% of trafficked victims had received support and assistance from the authorities to integrate back into their communities (SB, 2009). At the same time, trafficked returnees take a heavy burden and obligation to assist investigators to prove the crime in the prosecution of the trafficker. As mentioned in Chapter 3, in terms of legality, Article 6 of the Anti-trafficking Act 2011 provides that trafficking victims have a legal obligation to give information about trafficking-related violations and to fulfill law enforcement agencies' requests regarding trafficking cases (National Assembly of Vietnam, 2011). These regulations seem to pursue the prosecution of traffickers rather than securing victims' rights first in accordance with the UN Trafficking Protocol that Vietnam has to abide by as a state signatory (Hoang, 2015). To deal with the reasons that hinder trafficking victims from giving evidence against the traffickers and in assisting with judicial proceedings, counter-trafficking professionals often encourage them and explain the victims' legal duty to cooperate with them to prosecute traffickers successfully. This

investigation practice once again puts the burden of proving the crime on the victims whose rights should be put first (Hoang, 2015).

6.6 Discussion: the discourse of rescue and the victims' agency and autonomy

According to Shamir (2011: 28), "The current anti-trafficking regime views victims of trafficking as innocents that need to be rescued from the hands of criminals". As trafficking victims are considered as innocents who have been deceived, especially the victims of sex trafficking, women who intentionally migrate for sex work are not perceived as trafficked and not worthy of human rights protections (Doezema, 2000). Kinney (2006) contends that while male migrants are viewed as criminals who are in collusion with smugglers to threaten national security, women migrants are seen as passive victims who need to be rescued and rehabilitated. This study found that only 30% of trafficking victims had been provided with some assistance from the government agencies after being identified or rescued (SB, 2009). After being rescued from the traffickers, most victims are often returned back to their original place where they are continuously pushed to migrate. In addition, the findings show that a significant number of trafficked victims had become traffickers as they learned trafficking tricks and routes for themselves, and find trafficking as a way to sustain their lives. These victims-become-traffickers often target their family members, relatives and friends.

Vandenberg (2002: 331) contends that the language of "rescue" not only takes agency and autonomy out of the victims but also fails to admit the fact that victims may be trafficked again when they are put back in the same circumstances. The labels "victim" and "survivor" appear to strip agency from trafficked persons as the reasons for which many migrants choose to leave their home are always ignored (Buckland, 2008: 42). Rescue of human trafficking victims may also disempower the victims as they are seen as helpless victims only waiting to be rescued by police or someone. Wheaton

et al. (2010: 116) point out that human vulnerability leads to the loss of trafficking victims' agency which is supposed to be "the relative amount of personal decision-making ability a trafficking victim retains". According to Milivojevic and Pickering (2013), the trafficking intervention that is based on the rescue of deserved victims often goes with anti-immigration policies and measures of limited mobility which harm victims themselves. Although the involvement of coercion or deception does restrain agency and autonomy of trafficked people, especially in the destination country (Wheaton et al., 2010), in most trafficking cases the decision to migrate must be decided by both the victims (migrants) and the traffickers (Jac - Kucharski, 2012). The trafficking of Vietnamese women for labour exploitation seems to be mostly ignored and the exploited workers are only considered as illegal migrants who deserve detention, fines, punishment and deportation. Vietnamese trafficking victims are seen as passive naive people instead of being seen as those who can make an informed decision with their full autonomy and agency (Hoang, 2015).

Within the framework of push and pull, the status of being a trafficking victim and trafficked migrants' agency and autonomy are not mutually exclusive. In this study, based on their view of rescue as a duty and for prosecution purposes, the anti-trafficking law enforcement personnel have to find and rescue victims first and use them as indispensable evidence to prove the crime. As Vietnam's criminal law defines trafficking victims as a type of commodity which is sold and bought by traffickers, the victims' agency and autonomy are almost ignored. Legally, victims are considered as the most important eye-witnesses to track down and prosecute traffickers. Most law enforcement officers also think that trafficking victims, who are rescued and taken to the welfare centres, are seen as the lucky ones as opposed to the un-rescued victims. Yet, a number of victims do not see the same way as police officers do. For example, a

number of women who had been identified by law enforcement officers as trafficked for the purpose of marriage, did not see themselves as victims, so they did not testify against the trafficking suspects. The word 'rescue' was actually mentioned and repeated in all interviews with law enforcement officers while human agency of the victims was not mentioned enough in these interviews. In addition, police officers felt proud when they make a huge contribution to rescuing a number of trafficking victims. Law enforcement personnel only see themselves as persons having the power to implement rescue missions in dealing with trafficking incidents. They also blame the victims for their gullibility, naïve and lack of awareness. In addition, victims' family members also thank police officers who took their daughters home after the family reported them missing.

The rescue language also appears in the online newspaper articles and police's trafficking reports. This language appears to simplify the complexity of human trafficking. In the online newspapers, victims are often seen as young and helpless women and girls without agency and autonomy. Most of newspaper articles were focused on and written in the language that associates the rescue of the victims with the role of law enforcement officers as rescuers. The rescue of trafficking victims also dominates in newspaper articles of trafficking incidents. The language shows that victims are often gullible while the traffickers are very cunning, and law enforcement officers have to overcome many difficulties to rescue the victims. In the police's reports of trafficking incidents, the language of rescue is also highlighted by the dominating statistics of rescued victims, and the police's efforts in detecting trafficking incidents. The findings in this study support the view of Purohit (2011: 31) "the use of rescue language is inextricably linked to the language of police freeing victims".

In this study, the findings show that the victims' agency and autonomy are limited by their vulnerability, the manipulation by the traffickers, the influence of their family, the border control and the pressure of community customs. For example, a number of parents exercise the parents' power to intentionally arrange their daughters' marriage to a Chinese man in order to receive a large dowry to pay off their debt. However, the trafficking victims in this study also exercise their agency and autonomy as follows: (1) as a potential migrants, they had made their own choices to leave their home although in part their decision to migrate was based on exaggerated or fake information given by the traffickers; (2) despite limited agency, most trafficking victims were capable of escaping from exploitative sites and traffickers' control. For example, they could actually run away or contact the local police or their family members, or negotiate with their exploiters; (3) Some victims chose to cover up their trafficking incident from the police, or chose to stay in sex work or become traffickers. A number of law enforcement officers who were interviewed in this study, admitted that many trafficking victims tried to hide their willingness to migrate by telling the police officers that they were totally naïve and innocent; (4) The majority of trafficking victims expressed their desire to come home as soon as possible right after being rescued.

According to Anderson (2015), trafficking of women needs to be broadly viewed in the context of migration in which individual rights should be recognized. Chuang (2006) claims that traffickers seek opportunities to make profit from the already existing vulnerability of migrants. Moreover, Sharma (2003) observes that in the field of women trafficking, it is important to retain the viewpoint in which female migrants, including migrant sex workers, realistically have agency, albeit limited choices, to exercise their own decisions. Chuang (2006) argues that a rational choice is made by individuals, based on a cost-benefit analysis of relocation. This study found that there is

a growing flow of rural Vietnamese people illegally traveling to China for unskilled jobs. As migrants, trafficking victims exercise their agency and autonomy to choose to migrate abroad and end up being trafficked while other economically deprived and poor-educated people do not choose to leave their home never become trafficking victims (Jahic, 2009). In the interviews with trafficking victims, it is clear that they all exercise their agency and autonomy to migrate although the information given by traffickers was often untrue about job, workplace, wages, working condition, and the lawful status of migrants in the place of destination. For example, the wage was higher than what they received from the factory owner; the job was hard rather than being an easy one.

The trafficking in women and girls from Vietnam to China should be approached from a broader framework of push and pull factors which is not limited to legal frameworks of trafficking. Push and pull factors play a role in shaping patterns and trends of trafficking from Vietnam to China. The framework of push and pull does not view trafficking victims as naïve, gullible and passive ones, but rather as vulnerable migrants with limited agency and autonomy. The victim's agency and autonomy is constrained by their vulnerability. Most victims are capable of exercising their agency in choosing to migrate. A significant number of victims also have limited choices and the ability to escape from their trafficking situation, but some choose to become traffickers as "second wave" literature suggests.

6.7 Conclusion

This chapter answered the two research questions: (3) how do law enforcement personnel detect trafficking incidents? and (4) what challenges do investigators face in dealing with the trafficking of Vietnamese women to China? With regard to the former, the chapter explored the detection of trafficking by Vietnamese law enforcement

personnel over a ten year period, how clues to detection are gathered, and what the difficulties are in detecting trafficking incidents. The result of an analysis of 326 trafficking incidents collected from online newspaper articles was presented to reveal how these trafficking incidents had come to the attention of the law enforcement agencies.

As for answering the latter question, this chapter revealed challenges to victim identification and rescue, and challenges to building evidence in a trafficking case. Regarding challenges to identifying and rescuing victims, it has been found that, as trafficking is a hidden crime, verifying information and rescuing victims from China are challenging tasks for anti-trafficking law enforcement personnel. In addition, a lack of counter-trafficking personnel and funding for these tasks and trafficking in general were identified as further challenges facing law enforcement agencies. In terms of building evidence for a trafficking case, the chapter revealed that working with trafficking victims to encourage them in the legal proceedings is a challenging task. Moreover, to ensure legal grounds for charging the suspect with human trafficking, law enforcement personnel also face a significant number of challenges in gathering evidence to prove the act of selling or buying the victim. This chapter was concluded with a discussion of the nature and association between the reactive response, victim identification and victim's burden in trafficking investigations. In the next chapter, possible solutions to prevent and combat the trafficking of Vietnamese women to China are presented.

CHAPTER 7

SOLUTIONS TO PREVENTING AND COMBATING THE TRAFFICKING OF VIETNAMESE WOMEN TO CHINA

7.1 Introduction

The study of human trafficking must ultimately aim to prevent and combat this heinous crime. According to Van Impe (2000: 113), “there is no easy or uni-dimensional solution to human trafficking, since it is influenced by a complex set of factors, often working in combination with one another”. In the two preceding chapters, the root causes of and challenges in the prevention of and fight against the trafficking of Vietnamese women to China have been addressed. This chapter suggests some key solutions to help curb this crime in the Sino-Vietnamese trafficking context. According to Ghosh (1998), an effective response to human trafficking should include a strategy dealing with both push and pull factors. Accordingly, the first solution proposed in this chapter concerns how to handle the push and pull factors of trafficking. This requires an analysis of mechanisms to eliminate the root causes of human trafficking in countries of both origin and destination.

Another solution suggested in this chapter involves the improvement of law enforcement processes related to the trafficking of Vietnamese women to China. This entails a review of the policy and legal frameworks on human trafficking, aspects of which contribute to the shortcomings of anti-trafficking strategy and the challenges facing law enforcement personnel. Last but not least, this chapter also suggests a possible solution to curb the trafficking networks between Vietnam and China.

7.2 Review of trafficking policy to address and handle push and pull factors

Okogbule (2013) claims that, due to the huge significance of the social and economic dimensions of human trafficking, sufficient attention must be given to the push and pull factors that promote it. An approach based on an understanding of migration needs to be used to address why victims and offenders engage in human trafficking and other trafficking-related activities (Williams, 2010). Tyldum (2013) argues that the vulnerabilities which are an intrinsic part of migration are exploited by traffickers and these vulnerabilities stem from poverty, a lack of economic opportunities, and a lack of legal channels for migration. In the same vein, Okogbule (2013) points out that the root causes of human trafficking stem from social and economic phenomena that make people vulnerable to being trafficked. Therefore, to prevent and combat human trafficking successfully, it is necessary to identify and cope with these social and economic phenomena in the countries of both origin and destination. This is also commensurate with the requirements set out in the UN Trafficking Protocol that States need to alleviate the factors that make people, especially women and children, vulnerable to trafficking (United Nations, 2000).

7.2.1 Tackling economic push and pull factors and the establishment of legal and safe channels for migrant workers

The findings in Chapter 5 reveal that push and pull factors which help to create the migratory movement of Vietnamese women to China and make them vulnerable to trafficking include economic, social, cultural and demographic factors. With regard to the economic factors, poverty, unemployment and low incomes are identified as drivers behind the migration of Vietnamese women. At the same time, in China, the quite pressing demand for unskilled and low-skilled labour is a factor that attracts Vietnamese

women to migrate. In essence, these push and pull factors have created a supply of and demand for labour between the neighbouring countries of Vietnam and China (C.O.03).

To deal with trafficking, especially in women and children, the Vietnamese government has launched scores of measures over time. As mentioned in Chapter 3, the 2004 National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children over the period 2004-2010 (the so-called Programme 130/CP) approved by the Vietnamese Prime Minister, set out four projects as main counter-trafficking measures (Vietnamese Prime Minister, 2004). In 2011, the National Programme of Action on the Prevention and Suppression of Human Trafficking during the period 2011-2015 initiated five projects to prevent and combat trafficking (Vietnamese Prime Minister, 2011). The following Figures 7.1 and 7.2 reveal the key counter-trafficking measures approved by the Vietnamese government over these two periods.

Figure 7.1 Vietnam's key counter-trafficking measures over the 2004-2010 period

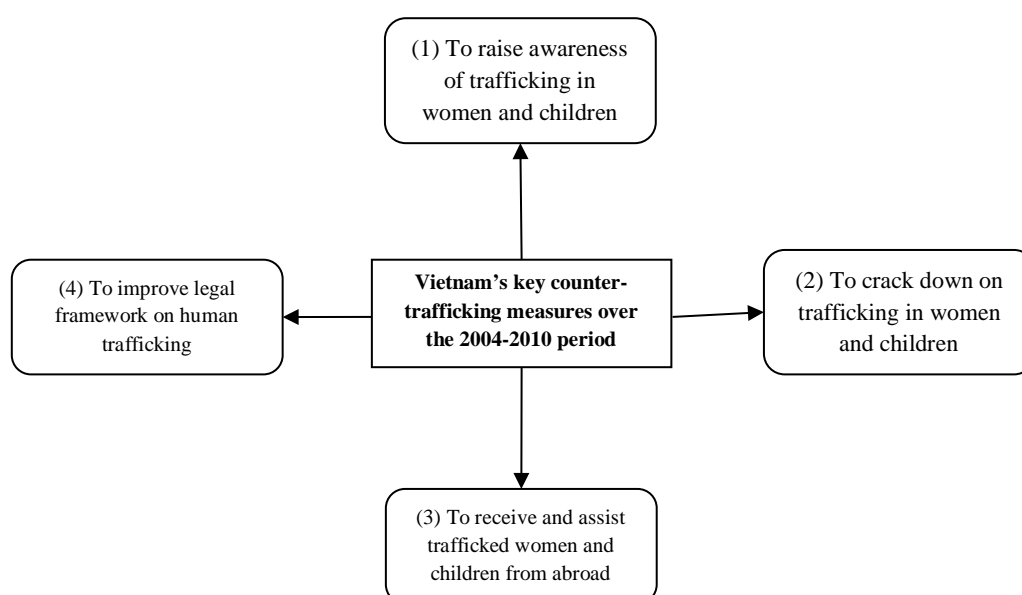
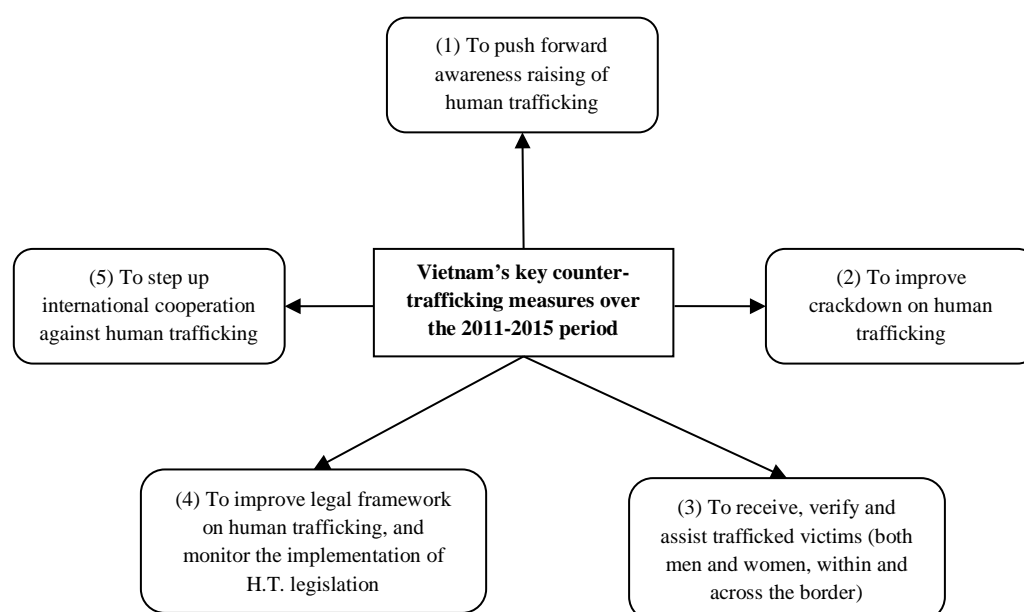


Figure 7.2 Vietnam's key counter-trafficking measures over the 2011-2015 period



According to both programmes, raising the awareness of the public, especially among high-risk groups of women, was the first measure mentioned to prevent and combat trafficking. In the first National Programme of Action, the Vietnam Women's Union coordinated Project 1: "Disseminating necessary information and educating people to identify, prevent, and combat the crime". This project was:

"To raise awareness of the public about trafficking through launching communication campaigns, aimed at high-risk groups across the country, especially in hotspots; integrating prevention and suppression of crime and social evils along with building up cultural families, healthy communities; supporting and counselling the victims" (Vietnamese Prime Minister, 2004: 6)

Over the period 2004-2010, the 130/CP Programme raised the awareness of trafficking among 18 million people with 439,000 campaigns, established 2,280 community clubs against trafficking, and provided about one million trafficking handouts, 30,000 billboard advertisements, and two million leaflets to the public (SB, 2009). Nonetheless, the report on counter-trafficking over the 2004-2009 period also

revealed shortcomings in the awareness raising measures: the communication activities were scattered; awareness raising campaigns were disconnected from socio-economic programmes in localities; there was a lack of replicable counter-trafficking models for local communities; and the number of groups of women and children still at high risk of trafficking remained (SB, 2009).

In the following National Programme of Action on Prevention and Suppression against Human Trafficking over the period 2011-2015, the first of the five approved solutions was Project 1: “To accelerate information provision, dissemination, and legal education to raise awareness and skills to prevent and combat human trafficking in society”, which was led by the Ministry of Information and Communication (Vietnamese Prime Minister, 2011). This project included two sub-projects: Sub-project 1: “To raise awareness of trafficking prevention and combat for the public through mass media at central and local levels”; and Sub-project 2: “To provide the public with anti-trafficking skills through educational activities in local communities”, which was mainly implemented by the Vietnam Women’s Union. The contents of awareness raising activities included to provide information regarding the national policy and legislation on human trafficking; circulating the provisions of the laws on marriage with foreign nationals; updating trafficking information regarding recruitment methods, trafficking traps, and the consequences of trafficking; providing preventative measures against human trafficking and skills to escape suspected traffickers; and circulating information about good prevention models against human trafficking (Vietnamese Prime Minister, 2011).

However, awareness raising will not alleviate poverty and unemployment, which are push factors of human trafficking (Kligman and Limoncelli, 2005). Raising awareness about the risk of human trafficking cannot stop Vietnamese migrants illegally

going to a richer and more developed country like China in pursuit of a paid job (Thanh Van, 2014). The task of awareness raising on trafficking needs to be associated with socio-economic projects in localities to create more jobs for women, especially within the high-risk groups (Pham, 2011b). Accordingly, local women need to be provided with information about the recruitment methods of traffickers (C.O.09; C.O.24). At the same time, they also need vocational training, job opportunities and loans from local institutions to build and develop their careers in their locality. This will prevent these women from migrating to other places in search of a job (C.O.06).

“The awareness raising is only about the risk of being trafficked associated with migration. This is not enough to stop these women from migrating to China as the push factors put pressure on them and they hope they will not end up trafficked. Even though the migrants bear in mind that they will be exploited at the end of the journey, they still decide to go with the recruiters” (C.O.05).

Among the solutions proposed in the two National Plans of Action, there was no specific strategies to deal with poverty, unemployment (push factors) and the attraction of paid jobs in neighbouring countries like China (pull factors). Although the second National Plan of Action for the 2011-2015 period set out a solution involving international cooperation against human trafficking (Vietnamese Prime Minister, 2011), this solution did not mention pull factors in the country of destination. The Sino-Vietnamese Agreement on Strengthening Collaboration in Preventing and Combating Trafficking in Persons 2010 only mentioned victim identification, protection, support and repatriation, and cooperative joint investigation in transnational trafficking cases (Vietnamese Government, 2010). Again, this bilateral agreement did not propose any solutions for the push and pull factors of human trafficking from Vietnam to China.

Most traffickers take advantage of economic difficulties, joblessness, low levels of awareness and the naivety of trafficking victims to traffic them from rural areas to urban areas, industrial parks or abroad (Minh Hung, 2015b). Local authorities needs to

fund and support local movements such as “Xóa đói giảm nghèo” (poverty elimination) or “Chương trình quốc gia về việc làm” (national programme on creation of jobs) (Nguyen, 2011c). However, these efforts have limited effects on women’s lives in economically deprived areas, and the gap between rich and poor and between regions seems to be widening (C.O.10). Thus pressures to migrate continue to exert an influence on poor women and young girls. A huge number of people manage to illegally migrate to China for jobs as they are desperate for money to live (Nghia Hieu, 2015, Nhu Quynh-Duy Hai, 2015). Although many of them are aware of some of the possible consequences of illegal migration to China, due to poverty and financial deprivation they still take risks to earn a living (C.O.06).

To prevent and combat human trafficking, solutions are needed which remove or greatly reduce these economic factors. As mentioned in Chapter 2, Vietnam has already gained status as a lower-middle income country, but poverty, unemployment and low incomes still exist in the many rural and hilly areas where women are most affected. In addition, “Despite remarkable progress, Vietnam’s mission of poverty reduction is not accomplished, and in some respects it has become more challenging” (Tran et al., 2015: 268). In the Anti-trafficking Act 2011, Article 11, Incorporation of Human Trafficking Prevention into Socio-Economic Development Programmes, requires that: “The Government, ministries, sectors and local governments need to incorporate human trafficking prevention into programmes on prevention and combat of crimes and social evils, vocational training, job creation, poverty reduction, gender equality and child protection, women’s empowerment and other socio-economic development programmes” (National Assembly of Vietnam, 2011: 15). Therefore, with regard to economic push factors, the solution is poverty elimination, employment generation and

income improvement for women in the disadvantaged rural areas. The response strategies should include the following:

(1) Job creation: more jobs are needed in disadvantaged rural areas to dissuade local women from migrating to cities or abroad. The availability of local jobs should provide diversified employment options for local women to choose. Farming is seen as the primary livelihood for disadvantaged groups of women in rural areas across Vietnam (Kozel, 2014). Central and local governments should offer incentives for enterprises to expand their business and create jobs in disadvantaged rural areas. To attract enterprises to these areas, the central and local governments need to improve the infrastructure for commercialised agriculture, and to invest in irrigation and disaster forecasting which help farmers avoid natural disasters (Hoang et al., 2014).

(2) Loans: poor women in disadvantaged areas and trafficking hotspots need low-interest credit to invest in their farming and non-farming activities. Their land can be held as collateral for interest-bearing loans (Hoang et al., 2014). In reality, “Microfinance has been recognised as a potentially effective tool to fight against poverty. The spread of microfinance appears to coincide with a sharp decrease in poverty rates across countries” (Duong and Nghiem, 2014:58). Ex-trafficking victims should be prioritised in such schemes. For landless poor households, the local authorities should allocate both residential and agricultural plots. It is critical to create easy access to the system of agricultural insurance.

(3) Vocational training: local governments should provide vocational training courses for disadvantaged women in deprived areas in subjects such as animal husbandry, horticulture, forestry, agricultural commercialization and agricultural extension, to train and educate farmers to apply scientific research and knowledge in agricultural practice. It is necessary to expand vocational training to the youth, with an emphasis on skills

needed in identified local markets in the agricultural and non-agricultural sectors. However, these vocational training courses run by local government need to match market demand otherwise the trainees will not find them useful for their careers. There has been significant development in the non-farming economy in rural areas, and so central and local governments should invest and develop job-related information systems to alert rural households and disadvantaged groups of women about job opportunities in the non-farming sector (Hoang et al., 2014).

(4) The Vietnamese government needs to promote Vietnamese civil society organisations, local and international NGOs, and international financial institutions such as the World Bank to continuously engage in poverty reduction in disadvantaged rural areas. These poverty reduction strategies should be flexible and commensurate with local conditions.

As mentioned in Chapter 5, Chinese employers take advantage of the illegal status of Vietnamese migrant workers to abuse and exploit them. Additionally, illegally smuggled Vietnamese workers represent as challenge for both the Chinese and Vietnamese authorities in terms of social security and labour administration (Pomfret, 2015). The Chinese employers equip illegal Vietnamese workers with fake identity cards; local Chinese authorities receive bribes to turn a blind eye to the employment of illegal migrants (Pomfret, 2015). On the Vietnamese side, illegal workers are discouraged by state-controlled media and law enforcement officials with the explanation that illegal migration practices violate immigration law, social order and national security (Nhu Quynh-Duy Hai, 2015). Yet, the number of migrant smuggling networks still proliferates (Pham, 2015). As many Vietnamese migrants are sent back to the situation they wanted to migrate from, the main push factors which make poor people vulnerable to trafficking do not change (Newman and Cameron, 2008).

It is therefore necessary to create “safe migration” channels for Vietnamese migrant workers (Hoang, 2015). The existence of legal channels for migration to China would eradicate the vulnerability of illegal migrant status in China which is taken advantage of by traffickers and Chinese employers leading to abuse and exploitation. Firstly, the Vietnamese government needs to discuss with the Chinese government the problem of illegal Vietnamese migrant labourers in China, and to suggest the creation of a labour mechanism that works for both Vietnamese migrant workers and Chinese employers. The authorities of the seven border provinces and their Chinese counterparts should discuss a cooperative mechanism to allow Vietnamese borderland residents to enter Chinese borderland areas to gain a paid job (Pham, 2013). This will bring benefits to both Vietnam and China. While Vietnamese migrant workers can get well-paid jobs in China to improve their income, and escape poverty and unemployment, this would help to reduce the pressure on the Vietnamese government to create jobs. At the same time, Chinese employers can recruit enough workers for their production lines at lower costs. The most significant benefit is that both governments can control the flow of migration and cut out smugglers and traffickers. Secondly, Vietnamese labour migrants should be educated about safe migration practices and the Vietnamese government needs to provide them with better access to travel documents (Thanh Van, 2014). Migrants should never travel alone with recruiters; they need to have reliable contacts in the place of destination; they are advised to bring identity documents with them; they are also advised to retain a phone number in case of emergency (C.O.01; C.O.13; Thanh Van, 2014). Finally, in the next National Plan of Action for the period 2016-2020, the Vietnamese government needs to address push and pull factors and create a safe migration policy to deal with human trafficking in general and the trafficking of Vietnamese women to China in particular. This policy should be based on the following

considerations. Firstly, the Vietnamese government should address the close link between migration and human trafficking in its anti-trafficking policy; “Vietnam should also be recommended to pay more attention to the migration issue as a feeding source of trafficking rather than just focus on the criminal justice response” (Trinh, 2015: 58). The building and support of a safe migration programme should be seen as one of the crucial preventative responses to human trafficking (Asia Foundation, 2008). Secondly, the Vietnamese government should address in its migration policy the desire of part of the population to migrate to China in search of paid jobs. This policy needs to protect the rights of migrants such as to a formal labour contract with their employers, and to being protected by China’s labour laws in terms of salary, health care, social services and security. Thirdly, the relevant government agencies should create favourable conditions and promote labour recruitment agencies to cooperate with Chinese employers to create a safe labour migration channel. The government also needs to promote the development of counselling and support centres for migrant workers who want to find a job in China. These centres will provide migrant workers with precise and reliable information regarding the actual jobs that the migrant workers will take in China, fees for recruitment companies and other services, and qualifications needed for the job in terms of language, skills, age, and health certificates. Migrant workers need to be informed of their rights to keep their passports and other personal documents when they are working abroad. They must also be provided with contact information for the local labour union in their destination, where they can complain and seek assistance when employers mistreat them. Fourthly, brochures, handbooks, leaflets and posters designed to raise awareness in groups of women at risk of trafficking in communities, need to be produced and delivered to pre-departure migrant workers (Asia Foundation, 2008). These documents may include such titles as “Safe Labour Export”, “Supporting

Migrant Workers for a Safe Migration”, “Information on Labour Export to China”, “Safe Migration for a Better Life”, “Essential Information for Working in China”, “Working Far Away from Home Safely”, “Let’s Combat Human Trafficking from Vietnam to China”. These documents can be spread to prospective migrants through community clubs, public education centres, schools and other organisations such as the local Vietnam Women’s Union, Youth Union, and local authorities. Finally, Vietnamese governmental agencies need to continuously and closely cooperate with the International Organisation of Migration, International Labour Organisation, and other domestic and international organisations in Vietnam to provide the safe migration channel. A number of projects should be specifically designated for Vietnamese migrants who are seeking a job in the Chinese labour market. These projects to raise awareness of safe migration need to be implemented in hotspots of the trafficking of Vietnamese women to China, such as in rural areas of the seven provinces sharing the border with China and other inland Northern localities.

7.2.2 Legalisation of marriage brokerage business

The number of Vietnamese women marrying foreigners increases every year, and most Vietnamese brides who marry a foreigner for economic reasons were introduced to their grooms by marriage brokers (TNnews, 2013). In 2010 alone, 9,623 Vietnamese women married Chinese husbands (TNnews, 2013). Hundreds of marriage brokerage agencies operate across the border between Vietnam and China to arrange marriages (Mengjie, 2015). Yet, in both Vietnam and China, marriage brokerage is illegal (C.O.01; C.O13). Vietnamese police, especially in southern Vietnam, have shut down a large number of marriage brokerage businesses (C.O.09; C.O.12). Chinese men looking for Vietnamese brides and Chinese brokers often face fines, deportation and immigration bans from

local authorities for conducting acts contrary to the purpose stated in their visa application (TN News, 2011c).

It could be argued that marriage between disadvantaged Vietnamese women and rural Chinese men is based on supply and demand. Therefore, cracking down on marriage brokerage is likely to be counterproductive in combating bride trafficking from Vietnam to China. Although an unidentified number of cross-border marriages between Vietnamese women and rural Chinese men end in trafficking, abuse or exploitation, some Vietnamese brides feel that they have a better life with their Chinese husbands as a result of voluntary marriage (AFP, 2014). The illicit market in marriage brokerage continues to grow as disadvantaged Vietnamese women who want to marry Chinese men, rely on this illicit market. Bachelors in rural Chinese areas still suffer the vicious circles of “poor - bare branch - poorer” cycle and “inability to pay the bride price - bare branch - need to pay a higher bride price” cycle (Jiang and Sanchez-Barricarte, 2012: 2). Outlawing the marriage brokerage business in China would either block the main way in which Chinese bachelors find a spouse or the existing marriage brokering services would go underground so that criminals could take advantage of the situation to traffic women or swindle rural Chinese suitors through sham marriages. In addition, the acute shortage of brides leading to bare branch villages can threaten Chinese society: “Bare branches will seek opportunities to marry in various ways, threatening social stability, and the stability of their families and communities, as well as menacing social order” (Jiang and Sanchez-Barricarte, 2012).

In Vietnam, only the Vietnam Women’s Union is allowed to give marriage counselling services to Vietnamese citizens and foreigners in Vietnam. Currently, the Vietnam Women’s Union is running 20 marriage counselling centres at provincial level (Linh Chi, 2016). These centres provide free marriage counselling services for

Vietnamese women who are seeking to marry a foreign spouse (Thanh Huong, 2014). Nonetheless, these centres are not operating effectively, and so many Vietnamese women and foreigners turn to illegal marriage brokerage services (Kieu Trinh, 2011). Therefore, it is necessary to reform the International Marriage Counselling Centres (Kieu Trinh, 2011). Firstly, the current number of centres is insufficient to meet the huge demand Vietnamese women who intend to marry foreigners, and increasingly Chinese nationals. One of the urgent tasks for the Vietnam Women's Union is to establish new centres in trafficking hotspots and localities where many women marry foreigners, rather than being limited to the provincial level. At the same time, these centres operate as non-profit organisations affiliated to the Vietnamese government, and so they need to be adequately funded to recruit trained staff such as experts on international marriage legality, languages and cross-cultural interactions. Secondly, the Vietnam Women's Union has successfully cooperated with the Vietnamese Women's Cultural Centre (VWCC) in South Korea in launching a marriage counselling project in Hau Giang and Hai Duong provinces (Nhat Nam, 2015). The project is worth US \$390,000 over 18 months, and focuses on providing counselling, education and pre- and post-marriage support for Vietnamese brides marrying Korean husbands (Tuoi Tre News, 2015). This project aims to reduce the risks associated with illegal international marriage brokerages. Therefore, this model of cooperation might be worth applying to marriages between Vietnamese women and Chinese men. Finally, as bureaucracy and lack of information about the existence of these centres are the main factors that hinder Vietnamese women from seeking advice (Tran Trieu, 2015), further dissemination of information on mixed marriages and improvements in how these centres operate should be accomplished as soon as possible. These centres should be run independently and

professionally by competent staff, although they are funded by the Vietnam Women's Union (Tran Trieu, 2015).

To deal with the push and pull factors of the illicit marriage brokerage market between Vietnam and China, it is also necessary to legalise and manage the marriage brokering business. In 2014, the Ministry of Planning and Investment proposed an amended Investment and Enterprise bill in which marriage brokerage services should be legalised as a business with a number of strict requirements (Bao Cam, 2014). Legalising marriage brokering services would mean the creation of a safe way to migrate for marriage for Vietnamese women. The counter-trafficking requirements for legal marriage brokerage services should include the following principles. Firstly, sufficient information should be provided for potential brides and grooms, especially about the career, income, marital status and health of their intended spouse. In the past, brokered marriages were often rapidly decided upon by a Vietnamese woman and her family while the bride knew little about the groom and his country. This manner of deciding marriage was known as the bride's model of "four noes" and "one excuse" ("bon khong" and "mot vi" in Vietnamese) marriage involving no understanding of culture, language and legislation, no knowledge about the situation of the future husband, no sight of the groom's face, no love, and one excuse to escape poverty and help the family (Tu Luong, 2011). Marriage in this manner should be changed to the "five yeses" ("nam biet" in Vietnamese): being aware of Vietnam's legislation and the obligation of citizen; being aware of the culture, history and legislation of the husband's country; being aware of the success and failure of those who have married a foreign spouse in the same locality; being aware of the future husband; and being aware of his family's situation before departure (Tu Luong, 2011). Secondly, compulsory in-person interviews with clients should be conducted to verify their statements and to

ensure that the marriage is based on the agency and autonomy of the Vietnamese woman. In addition, this interview should also provide a certain level of understanding between both sides. If the interview outcome shows that they do not know about their future partner's situation, another interview might be required. The time between the two interviews needs to be sufficient for the applicants to learn about each other. In cases where the staff of the marriage brokering agency find evidence regarding trafficking, forgery and/or other legal violations, they need to report the incident to the police for further inquiry. Thirdly, counselling should be made available to both sides about marriage-related issues such as legal formalities, language training, understanding different customs and social behaviour, and Vietnamese women from disadvantaged groups in rural and remote areas must be informed of the potential risks involved in international marriages for economic purposes only such as physical and sexual abuse, mistreatment by the husband, and trafficking (Linh Chi, 2016). Fourthly, legally binding provisions should be applied to post-marriage counselling services since a significant number of Vietnamese brides find that their marriages fail after they have lived with their husbands in the country of destination. For example, about 20% of Vietnamese brides in South Korea return back to Vietnam due to "unhappy" marriage. Women who find that their marriage to a foreign spouse is unhappy face a lot of difficulties before and after coming home. Most unhappy Vietnamese brides have to manage to come home on their own and some of them bring their children back to Vietnam (Trung Kien, 2013). Therefore, it is critical to require the marriage brokerage services to provide post-marriage counselling services for returning Vietnamese brides, such as how they can seek assistance to safely return home, how to process divorce formalities, how to re-obtain Vietnamese nationality, and how to get their children registered as Vietnamese citizens. Finally, there should be a commitment to counter-trafficking by all marriage

brokering agencies. Throughout their services, they should be required to report any suspected trafficking incident to the authorities for further investigation. In addition, marriage brokering agencies need to provide hotlines in case their clients find themselves in a trafficking situation and need help from within Vietnam or the country of destination.

7.3. Improvement of legal frameworks and joint trafficking investigations between Vietnam and China

7.3.1 Review of the definition of trafficking

It is widely recognised that legislation and the criminal justice system are the most important instruments to effectively combat the trafficking of human beings (Le, 2000, Vu, 2006), and therefore the trafficking definitions in the criminal law of both Vietnam and China need to be reviewed. According to Lee (2011), the ambiguity of definitions of trafficking often comes from the intrinsic complexity of transnational migration, and the various forms and extents of coercion, deception and exploitation throughout this process. Yet, the definitions of trafficking in the Vietnamese and Chinese criminal codes only focus on human trading and kidnapping as opposed to the definition of the UN Trafficking Protocol to which both countries are signatories.

On the Chinese side, the current criminal legislation only focuses on the act of kidnapping of women for the purpose of selling as trafficking (Minkang, 2008). For example, in April, 2015, a local court in Guangxi province tried 11 offenders for kidnapping to sell 16 Vietnamese women over the six-month period between November, 2012 and March, 2013, where some of the victims were voluntary sex worker in Chinese border towns (Mu, 2015). A Chinese researcher claimed that China's criminal law only severely punishes kidnappers and sellers, while buyers can escape criminal

responsibility (Wang and Pan, 2013). The buyers of wives are not seen as criminals if they did not know that the women they bought had been trafficked or abducted (Minkang, 2008), and they could also sell their wives to get back the money used to buy the trafficking victims in the first place (C.O.07). Therefore, Chinese criminal law should criminalise the buyers too, in order to stop trafficking from the demand side (Mengjie, 2015). Severe punishments for buyers would curb the demand for trafficked women and if there is no demand, there will be no supply (Mu, 2015).

However, paying a bride price is a tradition in Chinese society and it is still culturally accepted today (Jiang and Sanchez-Barricarte, 2012). For example, buying a bride happens in many rural areas in northern China's province of Hebei (Mu, 2011, Zhang, 2014). According to Minkang (2008), rural Chinese men who buy a bride are often officials of the villages or local communities and they also get on well with local police officers who are responsible for suppressing human trafficking. Moreover, Zhao (2003) claims that there is a village culture of sympathising with unmarried men, and so buyers of women might be protected by villagers. Due to lax law enforcement, thousands of abducted foreign women go undiscovered in rural and remote Chinese areas (AFP, 2014). This echoes the experience shared by an interviewee:

"I do not know about China's law on trafficking but when I asked them (Chinese local police) about trafficking for marriage, they explained that only the sellers or the buyers of a woman with intent to sell her to another buyer are traffickers. The local rural Chinese police often turn a blind eye to Chinese men who buy a spouse. Therefore, there were trafficking incidents in which the local Chinese did not help us to rescue a victim upon our requirement" (C.O.05).

As mentioned in chapter 5, the trafficking of Vietnamese women for labour exploitation seems to be ignored by current trafficking definitions and the exploited workers are only considered as illegal migrants who deserve detention, fines, punishment and deportation. Many interviewees observed that the Chinese police often launch periodic campaigns to crack down on Vietnamese illegal migrants with detention,

asset confiscation, fines, community service, imprisonment for illegal entry into China, and deportation (C.O.05; C.O.07; C.O.17; C.O.20). A number of victims had been prosecuted for their illegal acts that were consequences of their trafficking.

“While some are forced to work as a sex worker who can be imprisoned by local authorities for illicit prostitution, others are seen as illegal migrants after being trafficked to China for sexual exploitation or marriage” (C.O.24).

Human trafficking is only considered in by Vietnamese criminal law in terms of acts of the selling or buying of a person as a kind of goods, while there are other crimes related to trafficking scattered among different provisions in the Penal Code 1999 (Hoang, 2008). Yet the current trafficking provisions of the Amendment Penal Code 2009 do not include the purpose of exploitation. Instead of proving the purpose of exploitation, Vietnamese investigators have to demonstrate that the trafficking suspects obtained “personal profit” (including money, goods or other material profits) in return for transferring or receiving the victim (Hoang, 2008, Le, 2013a). This does not reflect the nature of the crime of human trafficking (Le, 2013a). In cases of marriage brokering between a Vietnamese woman and a Chinese man, acts of exchanging a woman for personal profit are not clear-cut and this confuses investigators.

“There are a number of views of justice agencies on what is sufficient evidence to prove the act of selling or buying and the personal profit. Whilst the investigative body claims there is sufficient evidence to charge a suspect with human trafficking, the Procuracy, who is in charge of prosecuting offenders, assumes that there is insufficient evidence to prosecute a suspect with this crime. Thus, it is very difficult to consider and assess trafficking evidence” (C.O.03).

A number of Vietnamese women who are brokered and “sold” as brides to Chinese men, do not see themselves as victims (C.O.17). Moreover, they feel happy with the marriage (C.O.16). Therefore the marriage broker has not trafficked her due to the lack of a victim (C.O.16). Many divorced Vietnamese women or those who are abandoned by their husbands ask brokers to bring them to China and broker their

marriage with Chinese men in return for a sum of money paid by both the Chinese men and these women (C.O.02). These brokers receive a sum of money while victims are aware and agree that they will go to China to get married to a Chinese man (C.O.16). The main point of these incidents is that, while there are acts of providing of a person and receiving payment, there is no exploitation as a consequence of those acts. Marriage trafficking incidents are often detected when the Vietnamese brides escape from China and report the incidents to local police in Vietnam (C.O.21; C.O.22). They alleged that they were deceived by traffickers about the marriage to a rich Chinese spouse and instead were sold to a Chinese bachelor in a hilly, remote rural area or to a brothel (C.O.23).

Le (2013a) argues that, as a person never wants to be trafficked for any form of exploitation, it is necessary to include both the victim's consent and a means of coercion or deception in the definition of trafficking. According to Hoang (2015), in the Vietnamese definition of trafficking, the agency and autonomy of trafficking victims are ignored because deception and coercion are not addressed. The definition of trafficking in the Amendment Penal Code 2009 also creates a loophole where traffickers can avoid being prosecuted (C.O.08). Suppose that an ex-trafficking victim who is running a brothel inside China visits her home village to deceive other Vietnamese women so that they to China. She then brings them across the border to her own brothel and these deceived women are forced to sell sex there. Apparently, such a brothel owner does not break the Vietnamese criminal legislation on human trafficking. This is because no acts of buying, selling, or receiving of payments or other material profit occur. This type of trafficking incident reveals that one trafficker can be in charge of the entire process of trafficking in women, although the vast majority of trafficking incidents are now conducted by trafficking networks.

The vast majority of Vietnamese labour brokers are aware that smuggled Vietnamese workers will be exploited and abused by Chinese employers at the end of their journey to China (C.O.01; C.O.13; C.O.23). Yet, they still smuggle these Vietnamese workers to China in order to receive a commission from Chinese employers (C.O.24). When returning home, these smuggled persons report their cases to the Vietnamese police because they have been deceived by the recruiters about the jobs in China (C.O.05; C.O.19). However, all of the interviewees said that these incidents could hardly be treated as labour trafficking because there were not clear acts of selling or buying of the victims and the smuggled workers asked the smuggler to take them to China for a job. The Vietnamese law enforcement agencies always face difficulties in deciding to charge suspects of either trafficking or organising or coercing persons to flee abroad illegally due to the similar actions involved in the two crimes (Nguyen (2013c).

There is a need to review the terms of legislation, which casts victims as tools to prove trafficking rather than people who need assistance and support. As mentioned in Chapter 3, Vietnam's Procedure Code 2003 (article 51) and the Anti-trafficking Act 2011 (article 6) place the obligation to prove trafficking on the victims, otherwise they may face charges for refusing to cooperate with an investigative body. Therefore, the provision in Article 308 of the Amendment Penal Code 2009 in which victims of a crime can be prosecuted if they refuse to make a statement, should not include trafficking victims because such a provision contradicts the requirements of protecting and supporting trafficking victims and the principle of the non-criminalisation of trafficked persons in the UN Trafficking Protocol to which Vietnam is a signatory. The trafficking victims should be the bearers of rights rather than the tools to prosecute traffickers (Hoang, 2015).

7.3.2 Crackdown on trafficking networks

Gallagher and Holmes (2008) claim that the outcome of an anti-trafficking investigation relies on the capacity and resolve of law enforcement personnel and the resources allocated to specialist investigators. Although both countries signed an Agreement on Strengthening Collaboration in Preventing and Suppressing Trafficking in Persons on 15th September, 2010, the provisions of the agreement are still overly general (C.O.01; C.O.05; C.O.15). According to this document, trafficking victims need to be officially sent home by both sides through appointed agencies (Vietnamese Government, 2010). Yet there are no criteria for a person to qualify as a trafficking victim, and no guidelines about the formalities of repatriation and victim verification (C.O.01; C.O.05; C.O.17; C.O.18). A large number of victims returned to Vietnam through unofficial paths without the Vietnamese side being informed (C.O.14; C.O.16; C.O.19). For example, a number of Vietnamese victims who are sold to Chinese provinces far inland and are detected by local Chinese police officers are then given money to catch a bus back to Vietnam across an unofficial border (C.O.19). The local Chinese police's practice of unofficially sending Vietnamese victims across the border back to Vietnam often brings about a situation in which the victims may be endangered on the way back, Vietnamese local authorities may never know about the incidents, and the traffickers remain at large (C.O.06). In addition, the lack of social services for those victims can be push factors leading them to be re-trafficked (Langberg, 2005).

Apart from the state level of cooperation between Vietnam and China, the Vietnamese borderland provinces also cooperate with the Chinese local authorities of Guangxi and Yunnan provinces to deal with human trafficking and other crimes (C.O.06; C.O.15). A number of cross border memoranda of understanding have been signed by borderland authorities from both sides (C.O.07). The police departments and

border guards hold an annual meeting at provincial level and every six-months or so there is a meeting at district level or border post level (C.O.01; C.O.05; C.O.17). The two sides have also established a telephone hotline for emergency cases, and designated a liaison officer in every province to liaise between the two sides of the border (C.O.05; C.O.15; C.O.19). However, the memoranda of understanding at local level are not legally compulsory documents, the frameworks used are general without specific prescribed obligations for each side, and there are no specific mechanisms for inspection and supervision (C.O.14). This leads to arbitrary, ineffective and untimely rescues and investigations (C.O.21).

Due to the lack of collective criteria for trafficking victims, the cooperation between the two sides is still limited and ineffective. Cooperation only focuses on rescuing trafficking victims upon the Vietnamese side's request, or verification and returning of illegal migrants and trafficking victims at the Chinese side's request (C.O.02; C.O.04; C.O.14; C.O.20). With regard to requests to rescue victims, the Vietnamese police compose a formal letter with the necessary information about the victims and send it to their Chinese counterpart while the liaison officers on the Vietnamese side will also use the hotline to inform the Chinese side about the letter (C.O.16). Requests to rescue victims need to include all information about the identity of the victim, including her name, age, gender, photograph, other possible identifying characteristics, and current address in Vietnam, the name of the house or apartment or place where she is being held, and even the landline phone number of that address (C.O.16). Based on that information, especially the address provided, Chinese police will verify it and then launch the rescue operation. If they successfully rescue the victims, they will notify the Vietnamese local police of the result, time and the border gate for victim repatriation. Nevertheless, the Chinese law enforcement personnel often

conflate trafficking victims with illegal migrants. The process of returning trafficking victims and illegal migrants normally begins with a request from Chinese police which is sent with the profile of the returnees to their counterparts at the same level in Vietnam, in order to verify all the information in the statement that is made by the individuals. When receiving this request for verification, the Vietnamese police will verify all the attached information. Then the result will be sent back to China and they will notify their Vietnamese counterparts of the time, place (always a border gate) of victim repatriation (C.O.13).

But, the result of rescuing the victims and other types of cooperation lag behind the real situation of trafficking in which many victims are not identified and rescued from China (C.O.01). A significant number of requests for the rescue of victims who were trafficked to far inland Chinese provinces cannot be carried out because their whereabouts are not known (C.O.05; C.O.10; C.O.17). In reality, rescue operations are successful only 50% of the time (C.O.19). However, according to the view of another participant, the cooperation between the police on both sides in handling the trafficking of women and children is quite good. The Chinese law enforcement agencies are good at dealing with requests for rescue from the local police (C.O.21; C.O.05).

While reducing migration pressures by dealing with the push factors in the country of origin is a long-term solution, the investigation and punishment of traffickers need to be stepped up (Dinan, 2008). According to the UNIAP (2012b), there are four criminal categories connected with human trafficking: recruiter, transporter, exploiter and enforcer. It is necessary that all four categories should be criminally investigated (UNIAP, 2012b). In the networks of the trafficking of Vietnamese women to China, while the vast majority of recruiters are Vietnamese nationals who are living in Vietnam, the rest of the networks are in China, including criminals who are both Chinese and

Vietnamese nationals (C.O.01; C.O.06; C.O.14). The Vietnamese recruiters recruit and traffic Vietnamese women and young girls from many parts of Vietnam to the Chinese borderland areas where the ringleaders and brokers will collect victims and pay money to the recruiters (C.O.02; C.O.08). These ringleaders rarely cross the border into Vietnam to collect the trafficking victims but instead wait on the Chinese side of the border and guide the Vietnamese traffickers to take the victims across the border into China (C.O.06). However, Gallagher and Holmes (2008) suggest that it is pivotal to make sure that traffickers are not able to take advantage of international mobility to evade prosecution by fleeing to other countries.

When dealing with the entire network of the trafficking of Vietnamese women to China, Vietnamese specialist investigators find it difficult to get to the bottom of trafficking incidents (C.O.05; C.O.17; C.O.19). Firstly, the Vietnamese police can only investigate and deal with recruitment, transport, and crossing the border, which happen in Vietnam, while it is virtually impossible for them to deal with Chinese brokers, ringleaders and exploiters who are involved in the final stages of trafficking (C.O.05; C.O.17). The Vietnamese law enforcement officers cannot verify the identity of the Chinese offenders because the information is beyond Vietnam's jurisdiction (C.O.02; C.O.04). One interviewee described the challenges of identifying ringleaders and brokers in China: "The Vietnamese trafficking accomplices often do not know the real names and addresses of the Chinese traffickers because those Chinese often use aliases which are very common names of Chinese people" (C.O.06). Even if the Vietnamese police do know the names of the traffickers in China, it will still be difficult to track them down due to the lack of information about their identity (C.O.17). Moreover, whilst the trafficking victims know exactly who the recruiters in Vietnam are, the vast majority of them do not know who the brokers and buyers in China are because the

recruiters are often acquaintances, relatives or fellow villagers but traffickers in China are strangers (C.O.07). If the Vietnamese police want to cooperate with Chinese law enforcement agencies in tracking down these offenders, they have to give details as to the traffickers' identity including names and residential addresses (C.O.06). Although Vietnamese police have cooperated with their Chinese counterparts in arresting some brokers and brothel owners in China, all such offenders were Vietnamese nationals who were living there illegally (C.O.05; C.O.16). The following Table 7.1 reveals the number of traffickers in China who escaped from prosecution in eight trafficking incidents investigated by the local police of Quang Ninh.

Table 7.1 Unidentified traffickers in China in eight Final Investigation Reports

	Case 1	Case 2	Case 3	Case 4	Case 5	Case 6	Case7	Case 8
Number of unidentified traffickers	2 (Thuy and Dung)	1 (Kim)	1 (A Nam)	4 (two women and two men)	1 (Ly)	1 (Lan)	0	1
Role	Broker	Brothel owner	Brothel owner	Transporter, broker	Broker	Brothel owner		Buyer

According to Table 7.1, in seven out of eight trafficking incidents there were unidentified traffickers who are in China, while there was only one incident where all links of the chain had been discovered. Although the unidentified traffickers include both Vietnamese and Chinese nationals, all of them lived in China and their dresses were not known. Even though some arrested suspects gave the names and phone numbers of those unidentified offenders in China, the investigators had to leave them out of the investigation as the information gained was not enough to identify and charge these traffickers.

Secondly, trafficking suspects in Vietnam often flee to and illegally stay in China to avoid being apprehended and to continue trafficking Vietnamese women to China (C.O.01; C.O.09). Many of them are among the most wanted suspects for trafficking (C.O.08). As there is a difference between the two sides with regards to the definition of trafficking, the viewpoint on the trafficking problem is also different (C.O.01). In some cases, when the Vietnamese police make a request to the Chinese police to arrest an offender, they refuse or delay action, giving the reason that the person (offender) has not broken any law or regulations in China, or they ignore the request without explanation (C.O.17).

Thirdly, the Chinese law enforcement agencies often turn a blind eye to the vast majority of brothels which are prostitution hubs where trafficking victims are exploited (C.O.02). Illegal Vietnamese workers are also commonly employed by Chinese factory owners in many southern Chinese towns while the local authorities often turn a blind eye to these illegal migrants (Pomfret, 2015). At the same time, exploiters are sometimes tipped off by local officials about rescue operations, so the owners and enforcers move the victims to other places or hide them from law enforcement officers in secret locked basement rooms (C.O.06; C.O.17). Some local Chinese police even say that trafficking is only Vietnam's problem because both the trafficking victims and traffickers are Vietnamese, not Chinese nationals (C.O.07). All these issues lead to the fact that most of the exploiters, owners and enforcers in China remain at large and they can continue to traffic Vietnamese women to China with impunity.

“Let me tell you about a trafficking incident in which the Vietnamese trafficking ringleader in China, named Mai, allegedly bought hundreds of Vietnamese women and girls from Vietnam to sell further inland in China. Although many returned victims, recruiters and transporters in Vietnam made statements against her, she was not arrested because she never came back to Vietnam. Although she is a Vietnamese illegal migrant in China, she was living there for more than a ten-year period without being caught by the Chinese local police” (C.O.17).

Finally, a bilateral agreement on the extradition of traffickers and a specific joint investigation mechanism for both countries are lacking (C.O.16). In the practice of cross-border anti-criminal cooperation, the police from both sides often help each other pursue wanted criminals who commit a crime on one side but flee to the other side to avoid being arrested (C.O.05; C.O.10; C.O.13; C.O.23). If the Vietnamese local border police help their Chinese counterparts to arrest criminals who have fled, the Chinese police in return will help with other criminal incidents (C.O.20).

Although Vietnam and China have signed an agreement on legal assistance on dealing with crimes concerning another country, the process is quite bureaucratic and complicated (C.O.09). According to the legal assistance law, in order to obtain further information about foreign criminals in general and foreign traffickers in particular, the local police have to send the file of the criminal incident to their Chinese counterparts through the People's Supreme Procuracy as stipulated in the mutual legal assistance agreement between Vietnam and China (C.O.02). This agreement on legal assistance does not stipulate the time limit to complete an investigation request. The Vietnamese police's mandate of the trafficking investigation is often delayed by the bureaucracy of formalities and ineffectiveness, as described by one interviewee below.

"Local police of the province of Lao Cai arrested a Chinese Mong trafficker who entered Vietnam's territory and was detected and reported by an ex-victim. We asked the Chinese police to conduct further inquiry into the incident. The file of the incident was transferred to the Vietnamese Supreme Procuracy before sending it to the Chinese counterpart. Subsequently, it was assigned to the local police where the suspected trafficker was living. The cooperative formalities are very bureaucratic, so we have not received the outcome of the investigation from the Chinese police" (C.O.06).

Hughes (2007) claims that the weaknesses of anti-trafficking legislation and law enforcement facilitate human trafficking. The effective fight against trafficking in women and young girls requires close cooperation between law enforcement agencies in the countries of origin and destination (United Nations, 2000). Kelly and Regan (2000)

hold that the shortage of trafficking knowledge and inaction in law enforcement agencies apparently facilitates trafficking in women. Vietnam and China need to set up a framework for joint cooperation which is based on a joint understanding of trafficking. A specific mechanism for joint trafficking investigations needs to be created to make sure that no traffickers can escape from justice. This mechanism should allow police from one side, especially from Vietnam, to require the other to provide information on suspected traffickers, and to arrest and extradite them to the country of origin when evidence of the incident is firmly established. In exceptional cases, the investigators from one side can be sent to join the investigation team on the other side. There is a need to stipulate what type of evidence for trafficking cases both sides should collect and what documents and evidence need to be transferred during the joint investigation and victim repatriation (C.O.17). At the time of victim repatriation, it is necessary for the Vietnamese police to receive trafficking-related documents and evidence gathered by the Chinese police such as the brothel owner's statement, victim's statement, reports of witnesses and so on (C.O.05). Chinese local authorities, especially in Sino-Vietnamese borderland areas, should close down all of the illegal prostitution hubs, which have been overlooked for a long time. It is alleged that some Chinese local police take monthly bribes from brothel owners so as to turn a blind eye to brothels where there are both Vietnamese voluntary sex workers and trafficking victims (C.O.14).

As revealed in Chapter 6, the detection of trafficking by Vietnamese counter-trafficking personnel relies heavily on information from victims and their families. Trafficking networks between Vietnam and China have also become too sophisticated to be detected (Mai Tram, 2015). Therefore, gathering intelligence about and conducting surveillance on human traffickers need to be increasingly used as a proactive strategy to prevent and combat the trafficking of Vietnamese women to China. A fight

against human trafficking based on surveillance and gathering trafficking-related information to crack down on transnational trafficking networks will also reduce the dependence of the trafficking investigations on the victim as an informant or witness. Information-gathering measures should focus on the groups of people who are likely to become traffickers: (1) those who have relatives in China; (2) those who regularly travel between Vietnam and China; (3) those who married Chinese husbands; (4) those who live in China and visit home to recruit workers or offer to arrange marriages to Chinese men for other women. Both Vietnam and China should apply trafficking intelligence measures in trafficking hotspots. In addition, it is critical for the police of both sides to exchange intelligence regarding trafficking and smuggling at the border. Counter-trafficking campaigns should be launched more frequently rather than only once at a fixed time (from July to September) every year. More importantly, capability building and training workshops should be held for law enforcement personnel from both sides, such as organising intensive training on trafficking investigation for law enforcement personnel; holding joint intensive training on human trafficking between Vietnam and China in border areas; and holding an annual conference of police between two countries.

In addition, the Sino-Vietnamese border needs to be better controlled. “Porous and poorly monitored borders and extensive waterways are a major geographic contributor to the problem” (Blackburn et al., 2010: 110). The long land border between Vietnam and China with a large number of crossing points and the lack of control by border guards have been taken advantage of by traffickers. For example the Chongzuo area in southwestern Guangxi province alone has a shared border with Vietnam 553 km long with about 123 border crossing routes, while there are only 260 border police are active in immigration control (Xinhua, 2010).

7.4 Discussion: to efficiently prevent and combat human trafficking, first and foremost Vietnam and China need to address and deal with the push and pull factors

Lee (2011) argues that there is an inextricable link between human trafficking and broader migratory movement in a globalised world where many existing tensions, violence and serious disorder are making people migrate and become vulnerable to trafficking. Unskilled foreign migrant workers, especially women, are often not allowed by immigration law in the country of destination, so they have to resort to illegal migration channels (Ali, 2005). In response to human trafficking, it is vital to understand the factors, primarily economic, social, cultural, legal and political, which contribute to people becoming vulnerable to human trafficking (United Nations Office on Drugs and Inter-Parliamentary Union, 2009). Yet, governments often consider human trafficking as a problem of law and order which requires a punitive and aggressive criminal approach, rather than viewing it within a broader framework where there are problems of migration, poverty, and discrimination (Chuang, 2006). Punitive and restrictive immigration policies and laws not only lead to illegal migration activities but also encourage a market for smuggling and trafficking (Caraway, 2008, Lee, 2005, Wuiling, 2006). Spencer and Broad (2012: 278) claim that “[t]here is a need to abandon approaches that criminalise the migrant but instead offer explanations that theoretically take account of migration theory as this will result in research that takes account of the varied experiences of migrants”.

Vietnam’s protection regime against human trafficking overlooks the connection between human trafficking and economic migration (Hoang, 2015). To stop Vietnamese women migrating to China in search of a paid job, local government agencies often warn potential migrants about risks associated with illegal migration such as trafficking,

abuse, exploitation, arrest, labour accidents, poor working and living conditions, and debt from smuggling fees (Nghia Hieu, 2015). The local government agencies are also required to persuade the families of illegal Vietnamese migrants who are still working in China to tell them to come home (Hoang Lan, 2015). In addition, Vietnamese trafficking victims are seen as passive naive people instead of being seen as those who can make an informed decision with their full autonomy and agency (Hoang, 2015). Vu (2006) also points out that the most common stereotype of trafficked victims is of naïve young women who are deceived by a bogus promise of a good job and end up being sexually exploited. According to the view of the Vietnamese and Chinese authorities, the smuggling of migrants is an issue for national border security, and that migrants who illegally enter or exit a country are criminals (Wang, 2005). Bélanger (2010) contends that Vietnamese brides who migrate for financial reasons are often discouraged by the Vietnamese government and they are stereotyped as either potential victims of human trafficking or economic opportunists. The combat against human trafficking is part of the eradication of “social evil” and the disproportionate focus on the trafficking of women for sexual exploitation seems to be inextricably linked to protecting national pride and identity through discouraging the migratory flow of women in the name of border control and national security (Hoang, 2015). The flow of unskilled Vietnamese migrants to other neighbouring countries, including China, is mainly irregular due to the lack of a legal channel for this group of migrants (Consular Department, 2012, Hoang, 2015). Dang (2004) claims that the issues of human trafficking between Vietnam and China are mixed up with illegal migration and the violation of border rules. By failing to provide and facilitate a legal channel for economic migrants, the authorities ignore the people’s rights to a better life (Marshall, 2005). The combat against human trafficking in Vietnam is closely linked to the border

control and anti-migration discourse (Cacioppo, 2006, Piper, 2002). Efforts at grass-roots level, which are designed to reduce vulnerability to trafficking, often discourage migration rather than providing a regular channel for economic migrants (Marshall, 2005). However, the vast majority of trafficking victims exercise their agency and autonomy to choose to migrate for a life-changing opportunity offered by recruiters. Undoubtedly, the recruiters manipulate the prospects of a prosperous life with a well-paid job for the victims and the promise of financial support for their natal families.

“If the conditions that foster trafficking continue to exist, traffickers will merely have to change their strategies and forms of exploitation to stay a step ahead of law enforcement. Thus, the very environment of deprivation that makes the recruitment of victims such an easy task must be dismantled” (Ray, 2005: 924).

The trafficking in women and girls from Vietnam to China should be approached from a broader framework of push and pull factors which is not limited to legal frameworks. Push and pull factors play a role in shaping patterns and trends of trafficking from Vietnam to China. To tackle this crime effectively, it is necessary to deal with the push and pull factors first. Specifically, Vietnam and China need to create a legal channel for Vietnamese labour migrants who want to get a job in China. The approach to trafficking victims as illegal migrants who may be deported right after being rounded up should be replaced by a protection regime for trafficking victims.

“As prevention programmes that focus on reducing poverty or raising awareness of trafficking have not successfully decreased the magnitude of the trafficking problem, there needs to be a change of focus to incorporate safe migration programmes which open up legal migration opportunities for Vietnamese workers, both internally and externally, whilst also effectively protecting their rights at their destination” (Hoang, 2015: 4).

The push and pull factor framework helps to move away from the stereotype that the trafficking in women is only for sexual exploitation and forced marriage, to a broader approach which includes trafficking for forced labour in the context of globalisation. Although trafficking patterns are shaped by the push and pull factors in

the two countries, it seems that the trafficking victims for forced labour is not reflected in the usual picture of the trafficking of Vietnamese women to China. In other words, while trafficking for labour exploitation is significant (UNIAP, 2011), in the eyes of anti-trafficking law enforcement officers almost all cases are trafficking for prostitution or forced marriage. Instead of considering the victims of trafficking for forced labour, those cases are categorised as human smuggling because no acts of selling or buying are proven but the illegal act of organising a border crossing is clear.

While the open border policy seems to make the border more porous and permeable for people to cross illegally, the stringent border control regime and lack of a legal channel for labour migration make the pull factors stronger. Furthermore, in the era of globalisation with the rapid development of cheap, fast and advanced means of communication such as mobile phones, Facebook and chatrooms on the Internet, the transnational connections between Vietnamese brothel owners and brokers in China, with recruiters in Vietnam becomes easier and cheaper than ever. A trafficking deal can be done during a phone call between a brothel owner in China and a recruiter in Vietnam. In reality, the social networks and connections between and among Vietnamese communities in China and their relatives and social contacts in Vietnam facilitate the establishment of trafficking networks between the two countries. Specifically, the “second-wave” is manifested in the victim-become-trafficker cycle in transnational trafficking between Vietnam and China. Ex-victims literally take advantage of their own circumstances, particularly seen in the criminal tactics used to recruit villagers, relatives and acquaintances from their home to sell to China. Interestingly, pull factors on China’s side create not only trafficking in Vietnamese women but also the “cyclic goods” phenomenon which is seen as a scam by Vietnamese

criminals in the border areas. The pretend trafficking victims are simply the answer to the high demand for women in China.

7.5 Conclusion

This chapter has answered the research question: what should be done to prevent and combat the trafficking of Vietnamese women to China? While human trafficking is a complicated problem, the suggested solutions focus on a review of counter-trafficking policy and the improvement of law enforcement. With regard to the former, this chapter suggested the establishment of a legal channel for migrant workers and the legalisation of marriage brokerage between Vietnam and China. As for the improvement of law enforcement, this chapter suggested a review of the definition of human trafficking and the improvement of joint trafficking investigations between Vietnam and China. The next chapter summarises this study and proposes recommendation for further research.

CHAPTER 8

SUMMARY AND RECOMMENDATIONS

This chapter summarises how the key research questions of this study have been answered to fulfil its key objective. It also describes the contribution to knowledge made by the study to the existing literature on human trafficking. Finally, it makes recommendations for further research into human trafficking.

8.1 Summary of the study and key original contributions to knowledge and understanding of human trafficking

As stated in Chapter 1, the key objective of this study was to gain insight into the trafficking of Vietnamese women to China, to improve prevention, and to combat the problem. To do so, this study set out five key research questions which needed to be answered:

1. What are the push and pull factors for the trafficking of Vietnamese women to China?
2. What is the pattern of the trafficking of Vietnamese women to China created by push and pull factors?
3. How do law enforcement personnel detect trafficking incidents?
4. What challenges do investigators face in dealing with the trafficking of Vietnamese women to China?
5. What should be done to prevent and combat the trafficking of Vietnamese women to China?

All these questions have been answered in chapters 5, 6 and 7 while the preceding chapters set basis for the generation of new knowledge and later discussion in

this thesis. This is the first study in a specific geographical context that looks at the cross-border trafficking of women in both the countries of origin and destination by setting up a framework of push and pull factors. The central argument is that cross-border human trafficking in general and trafficking in women in particular is a multidimensional problem regarding economic, socio-cultural and political issues in both sending and receiving countries. Therefore, a long term and effective strategy to prevent and combat human trafficking needs to address both push and pull factors in the countries of both origin and destination. Simultaneously, nation-states need to closely cooperate with each other to destroy transnational trafficking networks and to pursue prosecutions of traffickers.

The trafficking framework of push and pull factors was built up and these factors were reviewed across the human trafficking literature. The push factors were grouped into three categories: economic, social and cultural, and conflict, political and natural disaster factors. Likewise, the pull factors were categorized into three groups: economic opportunities, better living conditions, and the demands of the sex industry. Additionally, key discussions on the interconnection of push and pull factors were sketched out. In terms of geographical context, the Vietnamese context in which push factors exist and the Chinese context where pull factors emerge, were reviewed. In conjunction with the framework of push and pull factors, this study also examined the policy and legal frameworks in both Vietnam and China.

In terms of methodological approach, this empirical research has made an original contribution to knowledge through the distinct way it has gathered and analysed data. Firstly, most previous trafficking studies have gathered data from only one group of trafficking victims or NGO staff or other stakeholders. However, this study collected data from both primary and secondary sources to answer key research questions.

Primary data were from semi-structured interviews with two cohorts of interviewees, law enforcement personnel and trafficking victims, while secondary were gathered from online newspaper articles on trafficking and final investigation reports. Therefore, rich data were gathered from different sources and made available for analysis. Secondly, to conduct semi-structured interviews with law enforcement personnel, I had access to counter-trafficking investigators whereas previous studies in this geographical context did not have. Finally, with regard to data analysis, this study used both qualitative data analysis for the data gathered from semi-structured interviews and quantitative content analysis for the data collected from secondary sources. In addition, each set of results was crosschecked against the other to strengthen the validity and credibility of the research. To sum up, this empirical study has deployed an unique methodology in answering the research questions.

By deploying the framework of push and pull factors, this empirical study has provided a deep understanding about and detailed knowledge of push and pull factors as well as the pattern of trafficking of the Vietnamese women to China. Push factors found in Vietnam include economic factors (poverty, unemployment and low income), social factors (poor education, lack of social awareness, family dissolution, and the shame of premarital pregnancy) and cultural factors (filial duty to support parents, stereotypes of hypergamous marriage with foreigners, and ethnic minorities' marriage customs). Simultaneously, pull factors in China comprise economic factors (the demand for unskilled and low-skilled labour), social factors (the thriving sex industry in the Chinese provinces in close proximity to Vietnam) and demographic factors (the shortage of local brides).

Generally speaking, by examining the push and pull factors related to the trafficking of Vietnamese women to China, this study has made a significant

contribution to knowledge and understanding in the area of human trafficking in some respects. Firstly, push and pull factors are explicitly conceptualised in the specific context of the trafficking of Vietnamese women to China. Secondly, the study has confirmed most of the factors proposed as push and pull factors in the human trafficking literature such as economic push factors like poverty, unemployment, and low income, and economic pull factors such as the demands for unskilled and low-skilled migrant workers. In conjunction with this, the shortage of rural Chinese brides caused by the serious problem of the skewed gender ratio in China has been addressed for the first time as a pull factor in trafficking in women. Finally, most of the statements in the trafficking literature about push and pull factors are based on quantitative approaches, but lack a deeper and more detailed understanding of every factor. Furthermore, these vary from one country to another due to different political, socio-economic and cultural conditions. However, this study has provided an alternative approach to push and pull factors based on a qualitative method of data collection together with the quantitative analysis of collected media reports of specific trafficking incidents. This approach has produced original insights into how push and pull factors are established in a specific context.

With regard to the pattern of the trafficking of Vietnamese women to China, this study has provided a deep understanding of the dynamics of the trafficking process, including the traffickers, the recruitment of victims, border crossing and the exploitation of victims. Firstly, original contributions to knowledge and understanding here include the way push and pull factors are interconnected in order to produce the dynamics of the trafficking of Vietnamese women to China. Trafficking of Vietnamese women to China often occurs via collusion between recruiters and transporters in Vietnam, and trafficking ringleaders or brokers in China. Traffickers on the Vietnamese side recruit,

transport and bring victims across the Sino-Vietnamese border, whereas offenders on the Chinese side receive and exploit the victims. Apart from trafficking networks, individual traffickers also traffic Vietnamese women to China on their own.

Secondly, this research has provided an understanding of how trafficking networks are established and operated. Accordingly, all trafficking networks are established from the Chinese side and the market for trafficked women in China is under the control of trafficking ringleaders who are mostly Vietnamese nationals. These Vietnamese ringleaders also collude with local Chinese criminals to run their business in the human trafficking area. To recruit victims on the Vietnamese side, trafficking ringleaders and brokers in China often develop a number of different networks in Vietnamese localities. They develop trafficking networks by recruiting trafficking recruiters from among the thousands of Vietnamese people travelling to China every day, or those who are their relatives or acquaintances in Vietnam. A number of trafficking ringleaders provide recruiters with a sum of money in advance to encourage them to commit the crime.

Finally, this study has made another original contribution to knowledge and understanding by expanding the literature on the “second wave” suggested by Kelly (2005a) and Turner and Kelly (2009). The present findings reveal that there are a rising number of traffickers who were previously trafficked to China for sexual exploitation, forced marriage and labour exploitation. The “second wave” or victim-become-trafficker cycle is a hallmark of the interaction between the push factors in Vietnam and pull factors in China. Ex-victims realise and take advantage of the push and pull factors to traffic Vietnamese women to China for their own personal profit. In addition to the “second wave”, the findings also revealed “cyclic goods” phenomenon which is created by the high demand for sex workers and brides in China. Pretend traffickers and pretend

victims are often ex-sex workers or ex-trafficking victims and they take advantage of pull factors to trick buyers on the Chinese side. This phenomenon is typical of the context of the trafficking of Vietnamese women to China.

Verhoeven and van Gestel (2011) point out that there is very little empirical research on investigations of human trafficking and publications on this subject is scarce. Therefore, this study has provided a profound and detailed understanding of trafficking detection and investigation challenges in the context of the trafficking of Vietnamese women to China. The detection of trafficking in Vietnamese women to China is heavily reliant on the reports of trafficking victims or their families. The cross-checking with data collected from online newspaper articles confirmed that the majority of detected trafficking incidents (50.61%) come to light due to reports from trafficking victims. The results reflected the reactive approach of the Vietnamese law enforcement personnel as opposed to the proactive approach in which law enforcement agencies need to detect trafficking by focusing on surveillance of hotspots where victims are recruited, where victims are sold, and the routes the victim are trafficked through (Kelly and Regan, 2000).

With regard to the challenges faced in trafficking investigation, victim identification and victim rescue from China are very challenging for investigators. The lack of trained personnel and funding are also serious problems. In addition, there are challenges for investigators to work with trafficking victims during investigations. A significant number of victims are discouraged from cooperating with investigators due to the feelings of shame, embarrassment and stigma, the fear of retaliation from traffickers, the impact of kinship between victims and traffickers, and the victims' low levels of education and awareness.

Gathering sufficient evidence for a trafficking case is also challenging for the investigators. Firstly, the trafficking deals often happen in China, beyond the jurisdiction of Vietnamese law enforcement agencies. The trafficking transactions also take place behind the victims' backs. The victims are often seen as the most important witness of this crime, but they may only know their price after being told by their exploiters or buyers. Yet, the exploiters often quote an exaggerated price for the victims with the intent to force them to work harder to pay off the "debt". As all this happens in China, the verification of details is very challenging. Secondly, a significant number of victims who return home after a long time in China cannot remember or provide valuable evidence and details of their trafficking cases. Traffickers also adopt new strategies to avoid being tracked down by police. The task of gathering other evidence to prove when and where the trafficking incident happened is also challenging. Finally, the "cyclic goods" phenomenon and human trafficking are intertwined and so it is challenging for investigators to prove either incident.

This empirical research has finally provided practical solutions to prevent and combat the trafficking of Vietnamese women to China. While it is crucial to dismantle cross-border trafficking networks and to prosecute traffickers, the countries of origin and destination need to address and alleviate the push and pull factors as a long term response to human trafficking. A review of trafficking policy is required to address and alleviate push and pull factors for the trafficking in Vietnamese women to China. Accordingly, the issue of illegal migrant workers needs to be included in anti-trafficking policy and a legal channel for Vietnamese migrant workers who wish to find a job in China needs to be established between Vietnam and China. At the same time, the legalisation of marriage brokerage businesses is needed to deal with the shortage of brides in China and the demand for marrying Chinese husbands among some

Vietnamese women. The second set of solutions relates to the improvement of the legal framework and joint trafficking investigations between Vietnam and China. The focus here is put on a review of the definitions of human trafficking and the legal criteria for victim status. At the same time, cooperation to crack down on entire trafficking networks between Vietnam and China is needed.

8.2 Recommendations for further research

Human trafficking will continue to draw international attention in the next decades as its scope and scale continue to increase. Although a large budget of millions of US dollars has been spent on efforts and initiatives to prevent and combat human trafficking, the effectiveness of these measures is still limited. Most governments around the world treat transnational human trafficking as a problem of organised criminality and border control is used as the main strategy to combat trafficking. Push factors in the country of origin and pull factors in the country of destination, which are seen as root causes of international trafficking, are not fully addressed in trafficking agendas.

According to Lee (2011), although there has been an exponential increase in academic, policy and political interest in human trafficking, all of the attention tends to increase rather than mitigate the risks and suffering of trafficking victims and others in migratory global movement. Therefore, human trafficking needs to be explored using “the explanatory frameworks of social theories” which engage with the human agency of migrants and structural factors in both countries of origin and destination (Lee, 2011: 51). A social approach to human trafficking rather than an approach based on organised criminality is urgently needed:

“A reconstituted criminological agenda needs to locate trafficking as a social problem rather than a manifestation of transnational organised crime and law and order. It needs to foreground the connections between different forms of exploitation within the broader context of migratory conditions and labour

relations in the low waged, insecure work that many migrants are confined to” (Lee, 2011: 151).

While the Asian region is seen as a hub of human trafficking (Piper, 2005), the countries of the Greater Mekong Subregion are considered as an ideal laboratory to examine human trafficking responses by state governments (Kneebone and Debeljak, 2012). According to Piper (2005), research into trafficking within the Southeast Asian region cannot be separated from a broader analysis of transnational migratory movement. Prevalent poverty and political insecurity in Southeast Asia lead to illegal migration and organised criminal networks take advantage of the situation to traffic vulnerable people for sexual and labour exploitation (Blackburn et al., 2010). Vietnam is seen as a hotspot of human trafficking in the Greater Mekong Subregion (Duong, 2014b). Although human trafficking is a complicated problem, the Vietnamese government has slowly changed their narrow trafficking approach and response which previously ignored the migratory movement of people (Kneebone and Debeljak, 2012). The complicated nature of human trafficking in Vietnam requires more research to identify the shortcomings of current anti-trafficking policies and programmes (Duong, 2014b).

This research has examined the trafficking of Vietnamese women to China using both the social theory of push and pull factors and policy and legal frameworks. It is expected that the study has filled several gaps of knowledge in the trafficking literature by: (1) employing a migratory perspective to examine human trafficking; (2) exploring both push and pull factors in a specific trafficking context between two neighbouring developing countries whereas in the current trafficking literature the pull factors in the country of origin are often ignored; (3) exploring how push and pull factors shape the pattern of human trafficking between the countries of origin and destination; and (4)

employing a policy and legal framework to examine challenges in trafficking investigation. This area of knowledge has been rarely researched. This study has provided a deep and detailed understanding of push and pull factors, and of trafficking investigations in the context of the trafficking of Vietnamese women to China. In addition, the findings can inform governments of possible improvements to anti-trafficking policies and legislation in both countries. This study also lays the groundwork for further research and discussion in other geographical locales.

Nevertheless, this study has only examined the trafficking of women and along a specific route from Vietnam to China, although more than 60% of detected trafficking incidents occur on this route. Therefore, it is worth employing the theory of push and pull factors to conduct studies of the trafficking of women within Vietnam or from Vietnam to other countries in the region such as Cambodia, Thailand, Malaysia and Singapore and beyond. The victims considered should be extended to men and children and for specific purposes such as labour exploitation, the removal of bodily organs and adoption, which has recently been detected in Vietnam. In addition, as Piper (2005) claims, human insecurity factors are root causes leading to migration, and further research should delve into these factors and how they interact with each other to push people to migrate and make them vulnerable to trafficking. It would be appropriate and fruitful if further research were to examine human trafficking in Vietnam under the migratory perspective, as:

“A critical migratory perspective is central to the study of trafficking. It emphasises the need to interrogate immigration policies and state-sponsored notions of ‘illegal’ migration and to delve into the connections between structural forces and human agency in irregular migratory movements, including trafficking and smuggling” (Lee, 2011: 152).

Human trafficking and modern-day slavery are heinous crimes cruelly violating the human rights of the victims, and bringing lucrative profit to traffickers. No country,

irrespective of developed, developing or underdeveloped status, can avoid this crime problem. Yet, human trafficking stems from economic, social and cultural issues such as poverty, discrimination, family dissolution, political instability, and civil wars. Globalisation is characterised by the greater movement of goods, people and advanced means of communication, and has brought about unprecedented opportunities and prosperity to part of the world's population. At the same time, globalisation also widens the gap between rich and poor within regions and between countries, creating pressure for disadvantaged people to migrate in search of a secure life. Border control policies and the lack of legal channels for migration for poor people make them vulnerable to trafficking. Therefore, an effective response to human trafficking needs to take all of these issues into account, while international cooperation against human trafficking, especially between countries of origin and destination, needs to be stepped up.

APPENDICES

Appendix A: List of interviews

Code	Post of interviewees	Place of interviews	Date of interview	Duration (minute)
C.O.01	Counter-trafficking police officer, PSM	Ha Noi, Vietnam	4/7/2013	64
C.O.02	Counter-trafficking police officer, PSM	Ha Noi, Vietnam	16/7/2013	62
C.O.03	Counter-trafficking police officer, Yen Bai	Yen Bai, Vietnam	18/7/2013	77
C.O.04	Counter-trafficking police officer, Yen Bai	Yen Bai, Vietnam	30/7/2013	61
C.O.05	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	31/7/2013	80
C.O.06	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	31/7/2013	52
C.O.07	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	31/7/2013	63
C.O.08	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	2/8/2013	36
C.O.09	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	2/8/2013	35
C.O.10	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	3/8/2013	39
C.O.11	Counter-trafficking police officer, Lao Cai	Lao Cai, Vietnam	7/8/2013	37
C.O.12	Counter-trafficking police officer, PSM	Ha Noi, Vietnam	8/8/2013	70
C.O.13	Counter-trafficking police officer, PSM	Ha Noi, Vietnam	8/8/2013	50
C.O.14	Counter-trafficking police officer, Lang Son	Lang Son, Vietnam	4/9/2013	60
C.O.15	Counter-trafficking police officer, Lang Son	Lang Son, Vietnam	4/9/2013	41
C.O.16	Counter-trafficking police officer, Lang Son	Lang Son, Vietnam	5/9/2013	62
C.O.17	Counter-trafficking police officer, Lang Son	Lang Son,	5/9/2013	65

		Vietnam		
C.O.18	Counter-trafficking police officer, Lang Son	Lang Son, Vietnam	5/9/2013	46
C.O.19	Counter-trafficking police officer, Lang Son	Lang Son, Vietnam	6/9/2013	40
C.O.20	Counter-trafficking police officer, Quang Ninh	Quang Ninh, Vietnam	10/9/2013	48
C.O.21	Counter-trafficking police officer, Quang Ninh	Quang Ninh, Vietnam	12/9/2013	69
C.O.22	Counter-trafficking police officer, Ha Noi	Ha Noi, Vietnam	12/9/2013	58
C.O.23	Counter-trafficking police officer, Ha Noi	Ha Noi, Vietnam	15/9/2013	46
C.O.24	Counter-trafficking police officer, PSM	Ha Noi, Vietnam	21/9/2013	66
T.V.01	Trafficked victim	Lao Cai, Vietnam	3/8/2013	36
T.V.02	Trafficked victim	Lao Cai, Vietnam	4/8/2013	38
T.V.03	Trafficked victim	Lao Cai, Vietnam	5/8/2013	41
T.V.04	Trafficked victim	Lao Cai, Vietnam	6/8/2013	43
T.V.05	Trafficked victim	Lao Cai, Vietnam	7/8/2013	35
T.V.06	Trafficked victim	Lao Cai, Vietnam	7/8/2013	32
T.V.07	Trafficked victim	Lao Cai, Vietnam	8/8/2013	33

Appendix B: List of final investigation reports

No	Name of the case	Charged Crime	Issuing Agency	Report Date
1	The Final Investigation Report against Hoang Thi An and Tran Van Lam	Human Trafficking (Article 119, Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	18/5/2013
2	The Final Investigation Report against Phan Thi Thu Thuy	Human Trafficking (Article 119, Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	24/5/2013
3	The Final Investigation Report against Ly Van Dung, Tran Thi Nga, Nguyen The Anh, Vu Thanh Tung, Ngo Thanh Loi and Nguyen Van Truong	Human Trafficking (Article 119, Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	19/3/2012
4	The Final Investigation Report against Le Quy Thao and Nguyen Van Kien	Human Trafficking (Articles 119, 120 Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	24/2/2012
5	The Final Investigation Report against Hoang Van Binh and Nguyen Thi Thuy	Human Trafficking (Articles 119, 120 Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	17/6/2011
6	The Final Investigation Report against Pham Van Thanh	Human Trafficking (Article 119, Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	24/6/2011
7	The Final Investigation Report against Ngo Quoc Hung, Le Van Dung, Vu Thi Thanh Tam and Hoang Trung Duc	Human Trafficking (Articles 119, 120 Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	11/12/2010
8	The Final Investigation Report against	Human Trafficking (Article 119, Amendment Penal Code 2009)	Police's Investigative Agency of Province of Quang Ninh	23/6/2010

Appendix C: Articles 119 and 120 of the Vietnam's Amendment Penal Code
2009

Article 119 Trafficking in human

1. Those who traffic in human shall be sentenced to between two and seven years of imprisonment.

2. Committing the crime in any of the following circumstances, offenders shall be sentenced to between five and twenty years of imprisonment:

- a. For prostitution purposes;
- b. In an organised manner;
- c. In a professional manner;
- d. For removing victim's bodily organs;
- e. For taking victim abroad;
- f. Trafficking in more than one person;
- g. Committing the crime more than once.

3. Offenders may be subject to a fine of between five million and fifty million Dong, or subject to probation or residence ban for from one to five years.

Article 120 Trading in, fraudulently exchanging or appropriating children

1. Those who trade in, fraudulently exchange or appropriate children in any form shall be sentenced to between three and ten years of imprisonment.

2. Committing the crime in any of the following circumstances, offenders shall be sentenced to between ten and twenty years of imprisonment or life imprisonment:

- a. In an organised manner;
- b. In a professional manner;
- c. For despicable motives;
- d. Against more than one child;

- e. For removing victims' bodily organs;
- f. For taking abroad;
- g. For inhuman purposes;
- h. For prostitution purposes;
- i. Dangerous recidivism;
- j. Causing serious consequences.

3. The offenders may also be subject to a fine of between five million and fifty million Dong, or a ban from holding certain posts, practicing certain occupations or doing certain jobs for from one to five years, or subject to probation for from one to five years.

Appendix D: Articles 2 and 3 of the Vietnam's Anti-trafficking Act 2011

Article 2 Interpretation of terms

In this Act, the terms below are construed as follows:

1. Sexual exploitation means forcing a person to sell sex, or to act in the pornographic sector or to be a sexual slave.
2. Sexual slavery means forcing a person controlled by another, to serve the sexual demand of the controller.
3. Forced labor means coercing or forcing a person to work against his or her will.
4. Victim is the person who is infringed upon by an act specified in Clause 1, 2 or 3 of Article 3 of this Act.

Article 3 Prohibited acts

1. Trafficking in human under Articles 119 and 120 of the Penal Code.
2. Transferring or receiving a person (or persons) for sexual exploitation, forced labor or removal of human organs or other inhuman purposes.
3. Recruiting, transporting or harbouring a person (or persons) for sexual exploitation, forced labor, removal of human organs or other inhuman purposes, or for committing acts specified in Clause 1 or 2 of this Article.
4. Coercing others to commit an act specified in Clause 1, 2 or 3 of this Article.
5. Brokering in acts specified in Clause 1, 2 or 3 of this Article.
6. Taking revenge or intimidating victims, witnesses, or victim's relatives.
7. Taking advantage of human trafficking prevention and combat activities to obtain illegal personal profit or to violate legality.
8. Hindering people from reporting the trafficking incident, or handling the prohibited acts specified in this Article.

9. Discriminating the victims.

10. Disclosing confidential information of the victims without their consent or their lawful representatives.

11. Impersonating victims.

12. Violating other regulations of this Act.

LIST OF REFERENCES

- A.Hieu. 2013. Tặng vòng bạc, vờ hẹn ước để bán người yêu qua biên giới (Impersonate a fiance to sell a girl abroad). *Cong An Nhan Dan Newspaper*, 15/6/2013.
- Adepoju, A. 2005. Review of Research and Data on Human Trafficking in sub-Saharan Africa. *International Migration*, 43, 75-98.
- AFP. 2014. Vietnamese brides happy enough with Chinese husbands. *Thanh Nien Newspaper*, 19/8/2014.
- AFP News. 2014. Chinese Men Buying Brides From Vietnam Is Getting Out Of Control. *Business Insider*, 25/6/2014.
- Ali, A. K. M. M. 2005. Treading along a Treacherous Trail: Research on Trafficking in Persons in South Asia. *International Migration*, 43, 141-164.
- An Khanh. 2014. Lừa bán cả phụ nữ có thai sang Trung Quốc (Pregnant women sold to China). *Tuoi Tre Newspaper*, 6/10/2014.
- Anderson, K. V. 2015. Hillary Rodham Clinton, "Remarks on the release of the 10th annual trafficking in person report (14 June 2010).
- Andrees, B. & van der Linden, M. N. J. 2005. Designing trafficking research from a labour market perspective: The ILO experience. *International Migration*, 43, 55-73.
- Anh The-Quoc Do. 2011. Từ vụ án mạng triệt phá thêm đường dây buôn người (A trafficking ring gets uncovered from a killing). *Dan Tri Newspaper*, 9/9/2011.
- Anh Thu. 2013. "Cò" lấy chồng "Tây" (Brokering marriage with foreign husbands). *An Ninh Hai Phong Newspaper*, 13/7/2013.
- Anh Xuan. 2015. Triệt phá đường dây cả gia đình buôn bán phụ nữ (A ring of trafficking in women is bust by the police). *Cong An Nhan Dan Newspaper*, 27/4/2015.
- ANTG. 2013. Phổ mại dâm giáp biên giới Việt Nam. *VnExpress Newspaper*, 24/1/2013.
- Aronowitz, A. A. 2009. *Human trafficking, human misery: the global trade in human beings*, Praeger.
- Asia Foundation 2008. Combating Human Trafficking in Vietnam: Lessons learned and Practical Experiences for Future Programme Design and Implementation. Ha Noi.

- Asis, M. M. B. 2008. Human trafficking in East and South-East Asia: searching for structural factors.
- Asiwaju, K. 2007. The challenges of combating trafficking in women and children in Nigeria. *In: EBBE, O. N. I. & DAS, D. K. (eds.) GLOBAL TRAFFICKING IN WOMEN AND CHILDREN.*
- Auerbach, C. & Silverstein, L. B. 2003. *Qualitative data: An introduction to coding and analysis.*
- Bales, K. 2005. *Understanding global slavery: a reader*, Berkeley, Calif, University of California Press.
- Bao Cam. 2014. Vietnam may legalize marriage brokerage. *Thanh Nien Newspaper*, 10/9/2014.
- Barbiéri, M. & Pendakis, L. K. 2009. Daughters, Work, and Families in Globalizing Vietnam. *In: BARBIÉRI, M. & BÉLANGER, D. (eds.) Reconfiguring families in contemporary Vietnam.* Stanford: Stanford University Press Stanford, CA.
- Barry, K. 1996. *Vietnam's women in transition*, London, Macmillan.
- Bélangier, D. 2010. Marriages with foreign women in East Asia: Bride trafficking or voluntary migration? *Population and Societies*, 469, 1-4.
- Belser, P. 2005. Forced Labour and Human Trafficking: Estimating the Profits. International Labour Office. Geneva (Working paper, 42).
- Bien Thuy. 2014. Thâm nhập “chợ xác thịt” vùng biên (Kỳ 1) (To discover the "flesh market" in borderland). *Cong Ly Newspaper*, 21/4/2014.
- Blackburn, A. G., Taylor, R. W. & Davis, J. E. 2010. Understanding the complexities of human trafficking and child sexual exploitation: The case of Southeast Asia. *Women & Criminal Justice*, 20, 105-126.
- Bloomberg News. 2013. China Factories Turn to Undocumented Labor as Local Wages Jump. *Bloomberg*, 9/8/2013.
- Brennan, D. 2005. Methodological Challenges in Research with Trafficked Persons: Tales from the Field. *International Migration*, 43, 35-54.
- Breuil, B., Siegel, D., van Reenen, P., Beijer, A. & Roos, L. 2011. Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe. *Trends in Organized Crime*, 14, 30-46.

- Bruinsma, G. & Bernasco, W. 2004. Criminal groups and transnational illegal markets. *Crime, Law and Social Change*, 41, 79-94.
- Brunovskis, A. & Surtees, R. 2007. *Leaving the past behind: When victims of trafficking decline assistance*, Fafo Norway.
- Brunovskis, A. & Surtees, R. 2010. Untold stories: biases and selection effects in research with victims of trafficking for sexual exploitation. *International Migration*, 48, 1-37.
- Bryman, A. 2012. *Social research methods*, Oxford, Oxford University Press.
- Buckland, B. S. 2008. More than just victims: the truth about human trafficking. *Public Policy Research*, 15, 42-47.
- Bui, B. N. 2012a. To improve the international cooperation in combating human trafficking. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Bui, V. T. 2012b. The fight against human trafficking in the city of Ho Chi Minh. *People's Public Security Magazine*. Ha Noi: Ba Dinh.
- Buriak, L. D. E. a. M. I. 2007. The Problem of Trafficking in Women in Social Risk Groups. *Sociological Research*, 46, 14.
- Cacioppo, C. 2006. Can Tho City, Hau Giang Province, and Tay Ninh Province in Southern Viet Nam. The Situation of Migration and Trafficking of Children and Women: A Rapid Assessment. *International Labour Organization, The*.
- Cai, F. 2010. Demographic transition, demographic dividend, and Lewis turning point in China. *China Economic Journal*, 3, 107-119.
- Calandruccio, G. 2005. A review of recent research on human trafficking in the Middle East. *International Migration*, 43, 267-299.
- Cangping, W. & GuangZon, M. 2004. *China's population situation and policies*, Beijing, Foreign Language Press.
- Caraway, N. 2008. "Do No Harm": The Asian Female Migrant and Feminist Debates in the Global Anti-trafficking Movement. In: FERGUSON, K. E. & MIRONESCO, M. (eds.) *Gender and globalization in Asian and the pacific: Method, practice, theory*.
- Castles, S., Haas, H. d. & Miller, M. J. 2014. *The age of migration: international population movements in the modern world*, Basingstoke, Hampshire, Palgrave Macmillan.

- CATP. 2013. Trừng trị bọn bắt cóc phụ nữ bán ra nước ngoài (Kidnappers of women to sell abroad get punished). *Bao Moi Newspaper*, 1/8/2013.
- Cecilia Lai-wan, C., Eric, B. & Celia Hoi-yan, C. 2006. Attitudes to and practices regarding sex selection in China. *Prenatal Diagnosis*, 26, 610-613.
- CEOP 2011. The trafficking of women and children from Vietnam. Child Exploitation and Online Protection Centre in association with the British Embassy.
- Chan, Y. W. 2013. *Vietnamese-Chinese relationships at the borderlands: trade, tourism and cultural politics*, Routledge.
- Chau Hoai Thu. 2014. Lao động xuất cảnh trái phép sang Trung Quốc - Những câu chuyện buồn (Sad stories of Vietnamese illegal labourers in China). *Quang Ninh Newspaper*, 26/8/2014.
- China's State Council 1997. China's Criminal Law. China.
- Cho, S.-y., Dreher, A. & Neumayer, E. 2013. Does legalized prostitution increase human trafficking? *World development*, 41, 67-82.
- Chuang, J. 2006. Beyond a Snapshot: Preventing Human Trafficking in the Global Economy. *Indiana Journal of Global Legal Studies*, 13, 137-163.
- Committee, C. C. S. 2009. The 2009 Vietnam Population and Housing Census: Major Findings.
- Cong an TP. HCM. 2006. Công an Tuyên Quang: Triệt phá một đường dây buôn người ra nước ngoài hành nghề mại dâm (The public security of Tuyen Quang uncovers a trafficking ring). *Nhan Dan Newspaper*, 13/6/2006.
- Consular Department 2012. Review of Vietnamese Migration abroad. Ha Noi by ADN Company: Ministry of Foreign Affairs of Viet Nam.
- Cullen-DuPont, K. 2009. *Human Trafficking*, Facts On File.
- Curtol, F., Decarli, S., Nicola, A. D. & Savona, W. U. 2004. Victims of human trafficking in Italy: a judicial perspective. *International Review of Victimology*, 11, 111-141.
- Cwikel, J. & Hoban, E. 2005. Contentious issues in research on trafficked women working in the sex industry: study design, ethics, and methodology. *The Journal of Sex Research*, 42, 306+.
- D.Lam. 2013. Hai nữ sinh lớp 9 trốn thoát khỏi kẻ buôn người (Two school girls escape the trafficker). *Bao Moi Newspaper*, 12/8/2013.

- D.Luong-Trinh Nguyen. 2013. Bộ đội Biên phòng bắt giữ 3 đối tượng buôn người (Border guards arrest three traffickers). *An Ninh Thu Do*, 8/9/2013.
- Dan Tam 2011. The rescue operation of young trafficked girls from China. *The Social Security*. Ha Noi: Ba Dinh Publisher.
- Dang, N. A. 2004. Trafficking of women and children in a changing Vietnam. In: DANG, N. A. & CHANTHAWANIT, S. (eds.) *Uprooting people for their own good?: human displacement, resettlement and trafficking in the Greater Mekong Sub-Region*. Hanoi: Social Sciences Pub. House.
- Dang, N. A. Migration and Trafficking within the Greater mekong Subregion: Policy Dimensions of a Growing Issues. In: DOSCH, J. R., DÜRKOP, C. & NGUYEN, X. T., eds. *Economic and non-traditional security cooperation in the Greater Mekong Subregion (GMS)*, 2005 2005 Singapore. Konrad-Adenauer-Stiftung.
- Dang, N. A. 2006a. Cross-Border Migration and Sexuality in Vietnam: Reality and Policy Responses. *Living on the Edges: Cross-Border Mobility and Sexual Exploitation in the Greater Southeast Asia Sub-region*, *Southeast Asian Consortium on Gender, Sexuality and Health*.
- Dang, N. A. 2006b. Forced migration in Vietnam: Historical and contemporary perspectives. *Asian and Pacific migration journal*, 15, 159-173.
- Dang, N. A. 2008. Labour Migration from Vietnam: Issues of Policy and Practice. International Labour Organization.
- Dang, N. A., Tacoli, C. & Hoang, X. T. 2003. Migration in Vietnam: A review of information on current trends and patterns, and their policy implications. *Regional Conference on Migration, Development and Pro-Poor Policy Choices in Asia*. Dhaka, Bangladesh.
- Dang, Q. H. 2010. How to effectively interview victims of trafficking in women and children. *Scientific and Educational Magazine of Social Order*. Ha Noi: Ba Dinh Publisher.
- Dawson, C. 2009. *Introduction to research methods: a practical guide for anyone undertaking a research project*, Oxford, How To Books.
- Deane, T. 2010. Cross-Border Trafficking in Nepal and India—Violating Women's Rights. *Human Rights Review*, 11, 491-513.
- Derks, A. 2000. Combating trafficking in South-East Asia: a review of policy and programme responses. Geneva, Switzerland: International Organization for Migration.

- DICSO 2010. The report on the implementation of the Project II combating against human trafficking in 2010. Ha Noi: The Department for Investigation into Crimes against Social Order.
- DICSO 2011. The report on the implementation of the Project II combating against human trafficking in 2010. Ha Noi: The Department for Investigation into Crimes against Social Order.
- DICSO 2012a. The report on the cooperation with China in preventing and suppressing human trafficking in 2011 and the cooperative plan in 2012. Ha Noi: The Department for Investigation into Crimes against Social Order.
- DICSO 2012b. The report on the result of the implementation of the Project II "Stepping up the effectiveness of the combat against human trafficking", 2012. Ha Noi: The Department for Investigation into Crimes against Social Order.
- DICSO 2013. Report on the situation and result of the implementation of the Project II/Programme 130/CP over the first six-month period, 2013. Ha Noi: The Department for Investigation into Crimes against Social Order.
- Dinan, K. A. 2008. Globalization and national sovereignty: from migration to trafficking.
- Djamba, Y. K., Goldstein, S. & Goldstein, A. 2000. Migration and occupational changes during periods of economic transition: Women and men in Vietnam. *Asian and Pacific Migration Journal*, 9, 65-92.
- Do, A. T. & Dang, T. T. 2012. Human Trafficking in Vietnam: Difficulty and Solution. In: TAYLOR, S. C., TORPY, D. J. & DAS, D. K. (eds.) *Policing Global Movement: Tourism, Migration, Human Trafficking, and Terrorism*. Boca Raton: Taylor & Francis.
- Doan Quang. 2013. Lái xe taxi phát hiện nhóm thanh niên mua bán người (A taxi driver spots traffickers). *An Ninh Thủ Do*, 19/4/2013.
- Doezema, J. 2000. Loose women or lost women? The re-emergence of the myth of white slavery in contemporary discourses of trafficking in women. *Gender Issues*, 18, 23-50.
- Duc Anh. 2015. Vạch trần thủ đoạn lừa đảo đưa người vượt biên đi lao động 'chui' (To uncover the tricks of luring people into being illegal migrants in China). *Người đưa tin Newspaper*, 17/4/2015.
- Dueck, C. 2010. Foreign workers replacing chinese migrants. *Financial Times*, 9/6/2010.

- Duong, H. A. & Nghiem, H. S. 2014. Effects of microfinance on poverty reduction in Vietnam: a pseudo-panel data analysis. *Journal of Accounting, Finance and Economics*, 4, 58-67.
- Duong, K. A. 2014a. *Engendering the Evaluation of Anti-trafficking Policy: The Vietnamese National Action Programme Against Trafficking in Women and Children 2004-2010 (The VNAP)*. PhD, Waikato.
- Duong, K. A. 2014b. Human trafficking in a globalized world: gender aspects of the issue and anti-trafficking politics. *Journal of Research in Gender Studies*, 4, 788.
- Duong Phan. 2014. Vietnam sentences 4 traffickers of women to China. *Thanh Nien News*, 7/8/2014.
- Duong Quang Tien-Quoc Hong. 2009. Đường biên, những nẻo đường “bán phần buôn son” - Kỳ 1 (Border and types of prostitution (Part 1)). *Nhan Dan Newspaper*, 1/11/2009.
- Duy Hung. 2014. Cảnh báo tình trạng lao động xuất cảnh trái phép sang Trung Quốc (Alarming problem of going to China illegally). *An ninh Hai Phong Newspaper*, 7/1/2014.
- Duyne, P. C. v. & Spencer, J. 2011. The traded human body: The ultimate commercial option? In: DUYNE, P. C. V. & SPENCER, J. (eds.) *Flesh and money: trafficking in human beings*. Nijmegen: Wolf Legal.
- Eimer, D. 2010. Beijing plans curbs on number of foreigners working in China. *The Telegraph*, 23/5/2010.
- Epstein, G. 2010. China's Immigration Problem. *Forbes*, 1/7/2010.
- Ewing, K. 2010. Foreign workers (and wives) pour into China. *Asia Times*, 30/4/2010.
- Farrell, A., McDevitt, J. & Fahy, S. 2008. Understanding and improving law enforcement responses to human trafficking, final report, 2008, June. *Human Trafficking Data Collection and Reporting Center Research and Technical Reports*, 1.
- Fedina, L. 2014. Use and Misuse of Research in Books on Sex Trafficking Implications for Interdisciplinary Researchers, Practitioners, and Advocates. *Trauma, Violence, & Abuse*, 1524838014523337.
- Feng, B. 2014. More Than 100 Vietnamese Brides Are Said to Have Disappeared From Hebei Villages. *The New York Times*, 17/12/2014.

- Ferguson, K. E. & Mironesco, M. 2008. *Gender and Globalization in Asia and the Pacific: Method, Practice, Theory*, University of Hawaii Press.
- Gallagher, A. 2001. Human rights and the new UN protocols on trafficking and migrant smuggling: A preliminary analysis. *Human Rights Quarterly*, 23, 975-1004.
- Gallagher, A. & Holmes, P. 2008. Developing an effective criminal justice response to human trafficking lessons from the front line. *International criminal justice review*, 18, 318-343.
- Gallagher, A. T. 2010. *The International Law of Human Trafficking*, Cambridge University Press.
- Gekht, A. 2008. Shared but differentiated responsibility: Integration of international obligations in fight against trafficking in human beings. *Denver Journal of International Law and Policy*, 37, 29-62.
- Ghosh, B. 1998. *Huddled masses and uncertain shores: insights into irregular migration*.
- Gil, V. E. & Anderson, A. F. 1998. State-sanctioned aggression and the control of prostitution in the People's Republic of China: A review. *AGGRESSION AND VIOLENT BEHAVIOR*, 3, 129-142.
- Goscha, C. E. 2000. The Borders of Vietnam's Early Wartime Trade with Southern China: A Contemporary Perspective. *Asian Survey*, 40, 987-1018.
- Gozdziak, E. M. & Collett, E. A. 2005. Research on Human Trafficking in North America: A Review of Literature. *International Migration*, 43, 99-128.
- H.Phuc. 2015. Bắt thêm đối tượng đưa người trốn sang Trung Quốc (One more arrested of illegally taking labour migrants to China). *NLDO Newspaper*, 22/3/2015.
- Ha An. 2012. Người đẹp miền Tây 'liều đời' vẫn không thoát khổ (Mekong Delta women to escape povety). *Nguoi Lao Dong Newspaper*, 20/9/2012.
- Ha An. 2014. Illegal Vietnam workers lured to China, often enslaved. *Thanh Nien News*, 28/2/2014.
- Ha Anh. 2012. Muôn chiêu buôn bán phụ nữ, ép bán dâm (Numerous tricks to sell women for prostitution). *Vnexpress Newspaper*, 22/12/2012.
- Ha, D. T. & Hoang, N. P. 2012. To step up the fight against human trafficking on the Sino-Vietnamese border. *People's Public Security Magazine*. Ha Noi: Ba Dinh.

- Ha Hang-Tran Tam. 2012. Người cha mật phục "cướp" con gái khỏi tay bọn buôn người (Father rescues his daughter from the traffickers). *Ngươi Dưa Tin Newspaper*, 27/12/2012.
- Ha Hoang-Minh Thai. 2012. Giải cứu 5 cô gái suýt sập bẫy bọn “buôn người” (5 girls rescued before being sold). *An Ninh Thu Do Newspaper*, 9/9/2012.
- Hai Yen-Dang Hung. 2015. Công an TP Móng Cái: Đẩy mạnh phòng, chống tội phạm mua bán người qua biên giới (The police of Mong Cai city step up the combat against transnational human trafficking). *Quang Ninh Newspaper*, 14/11/2015.
- Harding, J. 2013. *Qualitative data analysis from start to finish*, Thousand Oaks, Calif, SAGE.
- He, Z. 2006. Migration and the sex industry in the Hekou-Lao Cai border region between Yunnan and Vietnam. *Living on the edges: cross-border mobility and sexual exploitation in the greater Southeast Asia sub-region*.
- Hesketh, T. & Xing, Z. W. 2006. Abnormal Sex Ratios in Human Populations: Causes and Consequences. *Proceedings of the National Academy of Sciences of the United States of America*, 103, 13271-13275.
- Ho, L. Q. 2011. The characteristics of trafficking victims. *People's Police Magazine*. Ha Noi: Ba Dinh Publisher.
- Hoang Hiep. 2014. Sự thật về những cô gái chỉ đi làm dâu 1-2 tháng rồi trở về nhà. *Lao Dong Newspaper*, 14/1/2014.
- Hoang Lam. 2015. Hám lời, bán cả phụ nữ mang thai sang Trung Quốc (Because of lucrative benefit, pregnant women sold to China). *Dan Tri Newspaper*, 30/7/2015.
- Hoang Lan. 2015. Ngăn chặn tình trạng buôn bán người và lao động tự do sang Trung Quốc (Prevention against human trafficking and illegal labour migrants to China). *Doi song van hoa Thanh Hoa Newspaper*, 11/6/2015.
- Hoang Trung. 2013. 16 tuổi tham gia đường dây “buôn người” (16 year old joins a trafficking ring). *An Ninh Thu Do*, 15/6/2013.
- Hoang, T. T. P. 2008. Legislating to combat trafficking in Vietnam. *The 17th Biennial Conference of the Asian Studies Association of Australia*. Melbourne 1-3 July 2008.
- Hoang, T. T. P. 2015. Protection for Trafficked Persons in Viet Nam: Another National Security Discourse? *International Migration*.

- Hoang, T. X., Pham, C. S. & Ulubaşoğlu, M. A. 2014. Non-farm activity, household expenditure, and poverty reduction in rural Vietnam: 2002–2008. *World Development*, 64, 554-568.
- Hodge, D. R. 2008. Sexual Trafficking in the United States: A Domestic Problem with Transnational Dimensions. *Social Work*, 53, 143-143.
- Hodge, R. D. & Lietz, A. C. 2007. The International Sexual Trafficking of Women and Children: A Review of the Literature. *Affilia*, 22, 12.
- Hong Chuong. 2011. Quyết liệt phòng, chống tội phạm mua bán người (Be resolute against human trafficking). *Nhan Dan Newspaper*, 2/1/2011.
- Hong Tuan. 2012. Tội phạm mua bán người: Thủ đoạn không ngừng thay đổi (Human trafficking: The adapted tricks). *An Ninh Thu Do Newspaper*, 16/2/2012.
- Huang, Y. 2004. A Labor Shortage in China. *The Wall Street Journal*.
- Hudson, V. M. & Den Boer, A. M. 2004. *Bare branches: The security implications of Asia's surplus male population*, MIT Press Cambridge, MA.
- Hughes, D. 2005. The Demand for Victims of Sex Trafficking. *Women's Studies Program*. : University of Rhode Island.
- Hughes, M. D. 2000. The "Natasha" trade: The transnational shadow market of trafficking in women. *Journal of International Affairs*, 53, 625.
- Hughes, W. 2007. Operational Perspective on Trafficking in Women and Children in the United Kingdom. In: EBBE, O. N. I. & DAS, D. K. (eds.) *GLOBAL TRAFFICKING IN WOMEN AND CHILDREN*.
- Hui, L. & Blanchard, B. 2014. China to crackdown on trafficking in 'foreign brides'. *Reuters Newspaper*, 15/9/2014.
- Hung The 2013. The story of a trafficking victim and the portrait of the trafficker. *The Counter-criminal Police*. Ha Noi: Ba Dinh Publisher.
- Huy An. 2014. Hiểm họa bên kia dòng Nậm Thi (The risk on the other side of the Nam Thi river). *Petrotimes Newspaper*, 21/2/2014.
- Huyen Huynh. 2012. 5 cô gái Việt Nam bị bắt quả tang bán dâm tại Trung Quốc (Five Vietnamese sex workers get arrested in China). *Sohanews Newspaper*, 12/9/2012.
- Huyen Vy. 2014. "Sở Khanh" đội lốt người tình (Traffickers is a pretend boyfriend). *An Ninh Hai Phong newspaper*, 31/8/2014.

- Inter-Ministerial Agencies 2010. Opinions on Severely Punishing Trafficking in Women and Children according to Law.
- Inter-Parliamentary Union and United Nations Office on Drugs Crime 2009. *Combating Trafficking in Persons: A Handbook for Parliamentarians*, Printed in Austria March 2009 – 650, United Nations publication.
- Jac-Kucharski, A. 2012. The Determinants of Human Trafficking: A US Case Study. *International Migration*, 50, 150-165.
- Jahic, G. 2009. *Analysis of economic and social factors associated with trafficking in women: Thinking globally, researching locally*, Rutgers The State University of New Jersey - Newark.
- Jeffreys, S. 2009. *The industrial vagina: the political economy of the global sex trade*, London, Routledge.
- Jiang, Q., Feldman, M. W. & Li, S. 2014. Marriage Squeeze, Never-Married Proportion, and Mean Age at First Marriage in China. *Population Research and Policy Review*, 33, 189-204.
- Jiang, Q., Li, S. & Feldman, M. W. 2011a. Demographic Consequences of Gender Discrimination in China: Simulation Analysis of Policy Options. *Population Research and Policy Review*, 30, 619-638.
- Jiang, Q., Li, X., Li, S. & Feldman, M. W. 2015. China's Marriage Squeeze: A Decomposition into Age and Sex Structure. *Social Indicators Research*.
- Jiang, Q. & Sanchez-Barricarte, J. J. 2012. Bride price in China: the obstacle to 'Bare Branches' seeking marriage. *The History of the Family*, 17, 2-15.
- Jiang, Q., Sanchez-Barricarte, J. J., Li, S. & Feldman, M. W. 2011b. Marriage Squeeze in China's Future. *Asian Population Studies*, 7, 177-193.
- Jiang, Q. & Sanchez-Barricarte, J. J. 2013. Socio-Demographic Risks and Challenges of Bare-Branch Villages in China. *Asian Social Work and Policy Review*, 7, 99-116.
- Jones, L., Engstrom, D. W., Hilliard, T. & Diaz, M. 2007. Globalization and human trafficking. *Journal of Sociology and Social Welfare*, 34, 107-122.
- Judges' Council of the People's Supreme Court. 1986. *The Resolution number 04 of the Judges' Council of the People's Supreme Court on the guideline for applying a number of regulations in specific crimes* [Online]. Hanoi: The People's Supreme Court
[Accessed 19 December 2013].

- Jupp, V. (ed.) 2006. *Validity*, London: SAGE.
- KD. 2013. Phối hợp giải cứu 2 cô gái bị lừa bán sang Trung Quốc (Two trafficked girls rescued from China). *An Ninh Hai Phong*, 25/5/2013.
- Kelly, L. 2005a. *Fertile Fields: Trafficking in Persons in Central Asia: a Report*, United Nations Publications.
- Kelly, L. 2005b. You Can Find Anything You Want”: A Critical Reflection on Research on Trafficking in Persons within and into Europe. *International Migration*, 43, 235-265.
- Kelly, L. & Regan, L. 2000. *Stopping traffic: exploring the extent of, and responses to, trafficking in women for sexual exploitation in the UK*, London, Home Office Policing and Reducing Crime Unit.
- Kempadoo, K. (ed.) 2011. *Introduction - Abolitionism, Criminal Justice, and Transnational Feminism: Twenty-first-century perspectives on Human Trafficking*: Paradigm Publishers.
- Keo, C., Bouhours, T., Broadhurst, R. & Bouhours, B. 2014. Human Trafficking and Moral Panic in Cambodia. *ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE*, 653, 202-224.
- Khac Kien. 2015. Lai Châu: Gia tăng tình trạng vượt biên trái phép (Lai Chau: illegal migrants increase). *VOV newspaper*, 2/4/2015.
- Khanh Hoan. 2014. Traffickers pull tribal women into China for husbands, work. *Thanh Nien News*, 4/5/2014.
- Khanh Ngoc. 2013. Nữ sinh 16 tuổi bị bán sang Trung Quốc, ngày tiếp 20 khách. *Vietnamnet Newspaper*, 10/12/2013.
- Kieu Trinh. 2011. Để các Trung tâm tư vấn hỗ trợ kết hôn có yếu tố nước ngoài hoạt động hiệu quả (How to run International Marriage Counselling Centres Effectively). *Can Tho Newspaper*, 8/5/2011.
- Kim Thai. 2013. Nghe lời ngon ngọt, 4 cô gái trẻ suýt bị lừa bán sang Trung Quốc. *An Ninh Thu Do Newspaper*, 24/7/2013.
- Kingshott, B. F. 2014. Investigation of Human Trafficking. In: PALMIOTTO, M. J. (ed.) *Combating human trafficking: A multidisciplinary approach*. CRC Press.
- Kinney, E. C. 2006. Appropriations for the abolitionists: Undermining effects of the US mandatory anti-prostitution pledge in the fight against human trafficking and HIV/AIDS. *Berkeley Journal of Gender, Law & Justice*, 21, 158.

- Kleemans, E. R. 2011. Expanding the domain of human trafficking research: introduction to the special issue on human trafficking. *Trends in Organized Crime*, 14, 95-99.
- Kligman, G. & Limoncelli, S. 2005. Trafficking Women after Socialism: To, Through, and From Eastern Europe. *Social Politics: International Studies in Gender, State & Society*, 12, 118-140.
- Kneebone, S. & Debeljak, J. 2012. *Transnational Crime and Human Rights: Responses to Human Trafficking in the Greater Mekong Subregion*, Routledge.
- Kozel, V. 2014. *Well begun but not yet done: Progress and emerging challenges for poverty reduction in Vietnam*, World Bank Publications.
- Lainez, N. 2011. Prostitution Mobility and Representations: The Case of Vietnamese Prostitutes going to Cambodia.
- Lam Ngoc-An A. 2013. Tôi đi cứu gái “cò quay” (To rescue fake trafficking victims). *24h Newspaper*, 28/1/2013.
- Langberg, L. 2005. A Review of Recent OAS Research on Human Trafficking in the Latin American and Caribbean Region. *International Migration*, 43, 129-139.
- Lasocik, Z. 2010. Human trafficking: a challenge for the European Union and its member states (with particular reference to Poland). In: HOLMES, L. (ed.) *Trafficking and human rights: European and Asia-Pacific perspectives*.
- Le, B. D., Belanger, D. & Khuat, T. H. 2007. Transnational migration, marriage and trafficking at the China-Vietnam border. In: ATTANÉ, I. & GUILMOTO, C. (eds.) *Watering the Neighbor's Garden: The Growing Demographic Female Deficit in Asia*. Paris: Committee for International Cooperation in National Research in Demography. Paris.
- Le, C. 2014. Xuất cảnh lao động trái phép sang Trung Quốc (Illegal labour migration to China). *Hoa Binh newspaper*.
- Le Hoang. 2013. 4 tháng tù nhục của hai chị em bị lừa bán sang Trung Quốc (Four months of two siblings trafficked to China). *VNexpress Newspaper*, 28/11/2013.
- Le, P. T. 2011. The Public Security Department of Tuyen Quang steps up the combat against human trafficking in the current situation. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Le, T. 2001. *Employment and life of Vietnamese women during economic transition*, Hanoi, Thế Giới.

- Le, T. 2008. *Single Women In Việt Nam*, Hanoi, Thế Giới Publishers.
- Le, T. H. 2010. A New Portrait of Indentured Labour: Vietnamese Labour Migration to Malaysia. *ASIAN JOURNAL OF SOCIAL SCIENCE*, 38, 880-896.
- Le Thach. 2013. Tích cực đấu tranh chống tội phạm buôn bán người (Stepping up the combat against human trafficking). *Nghe An Newspaper*, 11/11/2013.
- Le Thanh. 2009. 'Mẹ mìn' dụ thôn nữ đi siêu thị (Trafficker lures a rural young girl). *Vnexpress newspaper*, 21/11/2009.
- Le, T. Q. 1996. Domestic Violence in Vietnam and Efforts to Curb it. In: BARRY, K. (ed.) *Vietnam's women in transition*. London: Macmillan.
- Le, T. Q. 2000. *Prevention of trafficking in Women in Vietnam*, Hanoi, Labour and Social Affairs Publishing House.
- Le, T. V. A. 2013a. An assessment of similarities and differences between provisions of domestic Penal Code on the crime of trafficking in person and the anti-trafficking Protocol. In: JUSTICE, M. O. (ed.) *The provisions of the Penal Code 2009 on the crime of trafficking in persons and the crime of trading in, fraudulently exchanging or appropriating children - The situation and solutions*. Haiphong, Vietnam: Ministry of Justice.
- Le, V. C. 2013b. The current situation and solution to combat trafficking in human and children in Vietnam. *The provisions of the Penal Code 2009 on the crime of trafficking in persons and the crime of trading in, fraudulently exchanging or appropriating children - The situation and solutions*. Hai Phong.
- Lee, J. J. H. 2005. Human Trafficking in East Asia: Current Trends, Data Collection, and Knowledge Gaps. *International Migration*, 43, 165-201.
- Lee, M. (ed.) 2007. *Introduction: Understanding human trafficking*, Cullompton, Devon, U.K: Willan.
- Lee, M. 2011. *Trafficking and global crime control*, Los Angeles, Sage.
- Lei, Z. & Hanh, D. B. 2011. Sex Work in the Sino-Vietnamese Borderlands. *Asian Anthropology*, 10, 81-100.
- Levenkron, N., Codish, E., Codish, S. & Kerman, T. 2007. *Another Delivery from Tashkent: Profile of the Israeli Trafficker*, Hotline for Migrant Workers.
- Lie, M. 2015. Girls beaten and forced to sell their virginity. *China Daily*, 7/1/2015.

- Lim, L. 2004. *China fears bachelor future* [Online]. BBC. Available: <http://news.bbc.co.uk/1/hi/world/asia-pacific/3601281.stm> [Accessed 22/1/2013 2013].
- Limoncelli, S. A. 2009. Human Trafficking: Globalization, Exploitation, and Transnational Sociology. *Sociology Compass*, 3, 72-91.
- Linh Chi. 2013. Nhức nhối nạn vượt biên trái phép sang Trung Quốc làm thuê (Alarming problem of crossing over the border into China for jobs). *Cao Bang newspaper*.
- Linh Chi. 2016. Hạn chế tình trạng kết hôn trá hình: Tuyên truyền đi đôi với xử lý (Curbing fake marriage: Propaganda and Punishment). *Ha Noi Moi Newspaper*, 16/2/2016.
- Liu, H., Li, S. & Feldman, M. W. 2012. Forced bachelors, migration and HIV transmission risk in the context of China's gender imbalance: A meta-analysis. *AIDS care*, 24, 1487-1495.
- Liu, L. 2015a. Jiangsu prostitution ring busted, women found faking virginity using eel blood. *Shanghaiist Daily*, 24/6/2015.
- Liu, L. 2015b. Police in Yunnan arrest 18 men involved in trafficking Vietnamese brides. *Shanghaiist Newspaper*, 27/6/2015.
- Liu, M. 2011. *Migration, Prostitution, and Human Trafficking: The Voice of Chinese Women*, New Brunswick, Transaction Pub.
- Liuhao, Z. 2006. Man purchases 17 girls' virginity. *China Daily*, 25/5/2006.
- Loan Hoa. 2014. Kết bạn qua Facebook, thiếu nữ "sập bẫy" buôn người (Trafficking victims befriended through Facebook). *Petrotime Newspaper*, 29/5/2014.
- Loi Chau. 2011. Đối tượng chuyên lừa buôn người sa lưới (A trafficker gets arrested). *An Ninh Thu Do Newspaper*, 12/12/2011.
- Long Ngu. 2015. Giải pháp nào chấm dứt tình trạng lao động qua biên giới bất hợp pháp (Solutions to stop illegal cross-border labour migrants). *Bien phong Newspaper*, 24/3/2015.
- Macdonald, K. 2008. Using Documents In: GILBERT, G. N. (ed.) *Researching social life*. Los Angeles: Sage.
- Mai Toan. 2015. Ngăn chặn xuất cảnh trái phép: Cần quyết liệt hơn (Tough measure needed to stop illegal border crossing). *Bac Giang Newspaper*, 15/6/2015.

- Mai Tram. 2015. Human trafficking on the rise in Vietnam: police. *Thanh Nien Newspaper*, 19/10/2015.
- Mancuso, M. 2014. Not all madams have a central role: analysis of a Nigerian sex trafficking network. *Trends in Organized Crime*, 17, 66-88.
- Marshall, P. 2005. Raising our own awareness: Getting to grips with trafficking in persons and related problems in South-East Asia and beyond. *Asia-Pacific Population Journal*, 20, 143-163.
- Martynowicz, A., Toucas, S. & Caughey, A. 2010. The nature and extent of human trafficking in Northern Ireland: a scoping study. *Trends in Organized Crime*, 14, 198-223.
- Masika, R. & Williams, S. 2002. Editorial. In: MASIKA, R. (ed.) *Gender, trafficking, and slavery*. UK: Oxfam.
- McCabe, K. A. & Manian, S. 2010. *Sex trafficking: a global perspective*, Lexington Books.
- McDonald, W. F. 2014. Explaining the under-performance of the anti-human-trafficking campaign: experience from the United States and Europe. *Crime, Law and Social Change*, 61, 125-138.
- Mengjie. 2015. Harsh punishment for traffickers as China looks to protect women's rights. *Xinhuanet newspaper*, 9/4/2015.
- Meshkovska, B., Siegel, M., Stutterheim, S. E. & Bos, A. E. 2015. Female Sex Trafficking: Conceptual Issues, Current Debates, and Future Directions. *Journal of sex research*, 52, 380-395.
- Milivojevic, S. & Pickering, S. 2013. Trafficking in People, 20 Years On: Sex, Migration and Crime in the Global Anti-Trafficking Discourse and the Rise of the Global Trafficking Complex. *Current Issues Crim. Just.*, 25, 585.
- Minh Hang. 2015. Hệ lụy từ xuất khẩu lao động chui sang Trung Quốc (Illegal labour export to China and its consequence). *Thanh Hoa newspaper*.
- Minh Hong 2013. The arduous fight against human trafficking in Nghe An. *The Social Security*. Ha Noi: Ba Dinh Publisher.
- Minh Hung. 2015a. Kidneys, newborns, wives for sale: Human trafficking on the rise in Vietnam. *Thanh Nien News*, 21/4/2015.
- Minh Hung. 2015b. Mỗi năm, gần 5000 phụ nữ Việt Nam bị đưa sang Malaysia, Singapore bán dâm (Every year, some 5,000 Vietnamese women are trafficked to

- Malaysia and Singapore for purpose of prostitution). *Thanh Nien Newspaper*, 21/4/2015.
- Minh Thu. 2012. Công an tỉnh Điện Biên: Phá chuyên án PN712 buôn bán phụ nữ qua biên giới (The Dien Bien police bust a international trafficking ring). *Dien Bien Newspaper*, 11/8/2012.
- Minh Tien. 2011. Phá ổ nhóm buôn bán những cô gái trẻ ra nước ngoài làm gái mại dâm (A trafficking ring for prostitution abroad uncovered). *An Ninh The Gioi Newspaper*, 12/12/2011.
- Minkang, G. 2008. Trafficking in Women and Children in China. In: EBBE, O. N. I. & DAS, D. K. (eds.) *Global trafficking in women and children*. CRC Press/Taylor & Francis.
- Minter, A. 2014. China needs millions of brides ASAP. *BloombergView*, 25/12/2014.
- Morawska, E. 2007. Trafficking into and from Eastern Europe. In: LEE, M. (ed.) *Human trafficking*. Willan Publishing.
- MPS-MOD-MOLISA-MOFA 2014. Joint Circular No. 01/2014/TTLT-BCA-BQP-BLDTBXH-BNG: Guidelines on Order, Formality and Cooperation in Verifying, Identifying, Receiving and Repatriating Trafficked Victims. Ha Noi.
- MPS 2013a. The National Plan of Action against Human Trafficking over the 2011-2015 Period: Project to Step up the Effectiveness of the Fight against Human Trafficking. Ha Noi: Ministry of Public Security.
- MPS 2013b. The Project II: To improve the prevention and suppression against human trafficking over the 2011-2015 period. Ha Noi.
- Mu, X. 2011. China police probe missing purchased Vietnamese wives. <http://news.xinhuanet.com/>.
- Mu, X. 2015. China Focus: South China court jails 11 for people trafficking. *Xinhuanet newspaper*, 9/4/2015.
- Munro, V. E. 2005. Stopping Traffic? A Comparative Study of Responses to the Trafficking in Women for Prostitution. *British Journal of Criminology*, 46, 318-333.
- My Trinh 2013. The seriousness of human trafficking. *The Counter-criminal Police*. Ha Noi: Ba Dinh Publisher.

- N.Quyet. 2015. Thiếu nữ 15 tuổi báo công an vì sợ “má mì” bán sang Trung Quốc (A fifteen year-old sex worker reports her trafficking incident). *Ngươi Lao Dong Newspaper*, 5/4/2015.
- Nair, P. 2004. A Report on Trafficking in Women and Children in India 2002–2003. Volume 1. NHRC-NIFEM-ISS Project, New Delhi.
- Nandi, F. B. a. T. K. 2010. Evidence on women trafficked for sexual exploitation: A rights based analysis. *Eur J Law Econ*, 29.
- National Assembly of Vietnam 1985. The Penal Code. Vietnam.
- National Assembly of Vietnam 2003. Procedure Criminal Code. Vietnam.
- National Assembly of Vietnam 2009. Law on Amending and Supplementing a Number of Articles of the Penal Code 1999. Vietnam.
- National Assembly of Vietnam 2011. Law on preventing and combatting trafficking in humans. Vietnam.
- NDT. 2012. Từ xác chết bên kia biên giới, phá đường dây buôn người. *Zing Newspaper*, 14/9/2012.
- Newman, E. & Cameron, S. 2008. Introduction: Understanding human trafficking. In: CAMERON, S. & NEWMAN, E. (eds.) *Trafficking in humans: social, cultural and political dimensions*. United Nations University Press.
- Nghia Hieu. 2015. Tăng cường ngăn chặn lao động vượt biên trái phép sang Trung Quốc làm thuê (To strengthen measures to stop illegal labour migrants to China). *Quang Ninh Newspaper*, 23/3/2015.
- Nghiem, H. H. 2013. The situation of transnational marriages and human trafficking in Vietnam. *The provisions of the Penal Code 2009 on the crime of trafficking in persons and the crime of trading in, fraudulently exchanging or appropriating children - The situation and solutions*. Hai Phong, Viet Nam: The Ministry of Justice Publisher.
- Ngo, A. D., McCurdy, S. A., Ross, M. W., Markham, C., Ratliff, E. A. & Pham, H. T. 2007. The lives of female sex workers in Vietnam: Findings from a qualitative study. *Culture, Health & Sexuality*, 9, 555-570.
- Ngo, X. Y. 2012a. Migration and human trafficking in Vietnam *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Ngo, X. Y. 2012b. The transnational human trafficking. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.

- Ngoc Bi. 2013. Phận dâu Việt ở Trung Quốc (The destiny of Vietnamese brides in China). *Thanh Nien Newspaper*, 18/8/2013.
- Ngoc Ha. 2015. Vietnamese, Chinese arrested after selling 15 'wives' to China. *Thanh Nien News*, 8/5/2015.
- Ngoc Le-Mai Tram. 2015. Vietnamese man gets life sentence for trafficking, raping minor girl. *Thanh Nien News*, 30/6/2015.
- Ngoc Tung-Quang Son. 2014. Hệ lụy đau lòng từ vượt biên lao động "chui"(The heart-breaking consequences of illegal labour migration to China). *Doi song phap luat Newspaper*, 10/1/2014.
- Nguyen, C. P. 2012. The illegal marriage arrangement and the problem of human trafficking in the Mekong Delta. *People's Public Security Magazine*. Ha Noi: Ba Dinh.
- Nguyen, C. V. 2011a. The situation and solutions to improve the fight against human trafficking. *People's Public Security Magazine*. Ha Noi: Ba Dinh.
- Nguyen De. 2011. Nạn buôn bán người và những thủ đoạn (Human trafficking and trafficking traps). *An Ninh Thu Do Newspaper*, 9/10/2011.
- Nguyen, D. N. 2011b. To improve the effectiveness of the combat against human trafficking. *The Counter-criminal Police Magazine*. Ha Noi: Ba Dinh Publisher.
- Nguyen Duy Chien. 2015. Xuất cảnh trái phép sang Trung Quốc làm thuê: Tai họa khôn lường (Illegal labour migrants in China: Unpredictable consequences). *Tien Phong Newspaper*, 15/5/2015.
- Nguyen, H. M. 2008a. Age patterns of first marriage In: TRINH DUY, L. R., HELLE; BURGHOORN, WIL (ed.) *Rural Families in Transitional Vietnam* Hanoi: Social Sciences publishing house.
- Nguyen, H. N. 2007. Flooding in Mekong River Delta, Viet Nam. UNDP, Human Development Report Office.
- Nguyen, K. 2011c. Mobilising the joint strength to combat human trafficking in the current situation. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Nguyen Loan-Quoc Huy. 2009. Khi nạn nhân vô tình là đồng phạm (When victims become a accomplice). *Nhan Dan Newspaper*, 12/6/2009.
- Nguyen, M. C. & Winters, P. 2011. The impact of migration on food consumption patterns: The case of Vietnam. *Food Policy*, 36, 71-87.

- Nguyen, N. A., Tran, V. D., Truong, Q. H. & Ngo, D. T. 2012. The intensive training documents of the law on preventing and combatting in persons. *In: SECURITY*, M. O. P. (ed.). Hanoi: Labour Publisher.
- Nguyen, N. K. 2011d. The combat against human trafficking in Nam Dinh Province in the current situation. *People' Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Nguyen, Q. L. 2013a. Analysing the inadequacies in the Penal Code, the Procedure Code and the anti-trafficking Law in preventing and combatting trafficking in persons and in children in the current situation. *In: JUSTICE*, M. O. (ed.) *The provisions of the Penal Code 2009 on the crime of trafficking in persons and the crime of trading in, fraudulently exchanging or appropriating children - The situation and solutions*. Hai Phong.
- Nguyen Tan. 2013. Tiếng gọi từ 'động quý' phía bên kia biên giới (The voice from the prostitution hub on the other side of the border). *Nguoi Dua Tin Newspaper*, 24/4/2013.
- Nguyen, T. D. 2011e. The combat against human trafficking in the province of Bac Lieu and recommendation. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Nguyen Thai-Viet Dung. 2015. Quyết liệt ngăn chặn xuất cảnh trái phép sang Trung Quốc (To be determined to stop illegal migration to China). *Lang Son Newspaper*, 22/4/2015.
- Nguyen Thu 2012. The suffering of a trafficked victim's family. *The Counter-criminal Police*. Ha Noi: Ba Dinh Publisher.
- Nguyen, T. L. 2008b. Migration, household income and remittances *In: TRINH DUY, L. R., HELLE; BURGHOORN, WIL* (ed.) *Rural Families in Transitional Vietnam*. Hanoi: Social Sciences publishing house.
- Nguyen, T. P. 2011f. The solutions to step up the fight against human trafficking in Southern Vietnam. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Nguyen, V. C. 2013b. Recent Chinese Migration to Vietnam. *Asian and Pacific Migration Journal*, 22, 7-30.
- Nguyen, V. T. 2013c. The relationship between human trafficking and the crime of organizing, coercing other persons to flee abroad or to stay abroad illegally, and some recommendations. *In: JUSTICE*, M. O. (ed.) *The provisions of the Penal Code 2009 on the crime of trafficking in persons and the crime of trading in, fraudulently exchanging or appropriating children - The situation and solutions*. Haiphong.

- Nguyet My-Duc Linh. 2013. Công an Lạng Sơn tăng cường đấu tranh với tội phạm mua bán người (Lang Son police steps up the fight against human trafficking). *Lang Son Newspaper*, 24/12/2013.
- Nham, N. T. 2012. The experiences of rescuing and receiving trafficking victims in the province of Quang Ninh. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Nhat Nam. 2015. Khởi động dự án “Hỗ trợ hôn nhân Hàn Quốc” (Starting the Project "Supporting Korean Marriage"). *Bao Dien Tu Chinh Phu*, 16/7/2015.
- Nhu Quynh-Duy Hai. 2015. Nậm Pồ: Thực trạng và những hệ lụy khi người dân vượt biên trái phép sang Trung Quốc lao động thuê (Nam Po: The situation and consequences of illegal labour migration to China). *Dien Bien Newspaper*, 14/4/2015.
- Nong, V. D. 2011. The cooperation between the Public Security Department of Lang Son province and its counterpart in China. *People's Public Security magazine*. Ha Noi: Ba Dinh.
- NSB 2012. The report on implementing the Programme of Action against human trafficking in 2012. The National Steering Board of the Programme 130/CP (The Programme of Action against Trafficking in Women and Children).
- NSB 2013. The report on implementing the Programme of Action against Human Trafficking over the six-month period, 2013. Ha Noi: The National Steering Board on Prevention and Suppression against Crime (The Programme 138/CP).
- NSB 2014a. The report on implementing the combat against human trafficking and the handling of illegal marriage arrangement. Ha Noi: The National Steering Board on Prevention and Suppression against Crime (The Programme 138/CP).
- NSB 2014b. The report on implementing the Programme of Action against Human Trafficking over the 2008-2014 period. Ha Noi: The National Steering Board on Prevention and Suppression against Crime (The Programme 138/CP).
- Okech, D., Morreau, W. & Benson, K. 2012. Human trafficking: Improving victim identification and service provision. *International Social Work*, 55, 488-503.
- Okogbule, N. S. 2013. Combating the new slavery in Nigeria: An appraisal of legal and policy responses to human trafficking. *Journal of African Law*, 57, 57-80.
- P.Ha. 2015. Con trai lòng gái trẻ trong nước, bán sang cho mẹ đẻ ở Trung Quốc (The son recruits young girls to sell to his natural mother in China). *An Ninh Thu Do Newspaper*, 24/7/2015.

- P.Thuy-T.Hoa. 2014. Lập facebook lừa hàng chục thiếu nữ ra nước ngoài bán dâm (Using facebook to recruit and sell tens of girls abroad for prostitution purpose). *Cong An Nhan Dan Newspaper*, 7/5/2014.
- PCCB 2011. The programme of action against human trafficking over the 2011-2015 period.
- PCH 2010. The report on implementing the 130/CP Programme of prevention and suppression against human trafficking in Ha Noi, 2010. Ha Noi: The People's Committee of Ha Noi: The Steering Board 130/TP.
- PCH 2011. The report on implementing the 130/CP Programme of prevention and suppression against human trafficking in Ha Noi, 2011. Ha Noi: The People's Committee of Ha Noi: The Steering Board 130/TP.
- PCHN 2009. The report on implementing the 130/CP Programme of prevention and suppression against trafficking in women and children over the period 2004-2009 in Ha Noi. The People's Committee of Ha Noi: The Steering Board 130/TP.
- PCLS 2012. The report on implementing the programme of action against human trafficking in 2012. Lang Son: The People's Committee of Lang Son: The Steering Sub-committee 130.
- PCYB 2011. The report on implementing the Programme of Action against Human Trafficking in 2011. Yen Bai: The People's Committee of Yen Bai: The Steering Board 130/CP.
- PCYB 2012. The report on implementing the Programme of Action against Human Trafficking in 2012. Yen Bai: The People's Committee of Yen Bai: The Steering Board 130/CP.
- Peng, X. 2011. China's demographic history and future challenges. *Science*, 333, 581-587.
- People's Supreme Court/People's Supreme Procuracy/Ministry of Public Security/Ministry of Defense/Ministry of Justice 2013. Circular on the Guideline for criminally prosecuting those who committed the crime of trafficking in persons, or the crime of trafficking in children, fraudulently exchanging or appropriating children. Hanoi.
- PGD 2011. Report on result of cooperation between Vietnam and China in prevention and combat against trafficking in women and children. Ha Noi: The Police General Department - The Ministry of Public Security.
- Pham, N. T. 2011a. The investigations into human trafficking in Yen Bai province and some recommendations. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.

- Pham, N. T. 2015. Ngăn chặn 333 người dân sang Trung Quốc làm thuê trái phép (333 illegal labour migrants stopped prior to crossing border into China). *Dan Tri newspaper* 7/4/2015.
- Pham, Q. N. 2011b. Stepping up solutions to combat human trafficking in current situation. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Pham, V. A. 2013. Những hệ lụy khôn lường (Illegal labour migrants in China: Unpredictable consequences). *Bien Phong Newspaper*, 4/10/2013.
- Pham, V. S. 2011c. A number of issues on the combat against trafficking networks. *People's Public Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Pham, V. S. 2012. The new tricks of trafficker to recruit trafficking victims. *People's Public Security Magazine*. Ha Noi: Ba Dinh.
- Phan, D. & Coxhead, I. 2010. Inter-provincial migration and inequality during Vietnam's transition. *Journal of Development Economics*, 91, 100-112.
- Phan Hau-Thu Hang. 2013. Bẫy lao động bên kia biên giới (The labour traps in China). *Than Nien Newspaper*, 24/5/2013.
- Phan, V. V. 2011. The result of the combat against human trafficking and the ongoing solutions. *People's Public Security Magazine*. Ha Noi: Ba Dinh.
- Phi Hung-Xuan Mai. 2012. Sập "bẫy tình" bị buôn sang Trung Quốc (Victims get "love" traps of traffickers). *Cong An Nhan Dan Newspaper*, 21/2/2012.
- Phuc Hien. 2013. Lừa bạn "chat", bán ra nước ngoài (A online friendmaker trafficked abroad). *An Ninh Hai Phong*, 14/10/2013.
- Pickup, F. 1998. Deconstructing trafficking in women: the example of Russia. *Millennium*, 27, 995-1021.
- Pierson, D. 2010. Illegal immigrants pour across border seeking work. *Los Angeles Times*, 19/9/2010.
- Piper, N. 2002. Gender and migration policies in Southeast Asia - Preliminary observations from the Mekong region. *INTERNATIONAL UNION FOR THE SCIENTIFIC STUDY OF POPULATION REGIONAL POPULATION CONFERENCE* 1-21.
- Piper, N. 2005. A Problem by a Different Name? A Review of Research on Trafficking in South-East Asia and Oceania. *International Migration*, 43, 203-233.

- PL&XH. 2012. Hàng loạt sơn nữ mất tích bí ẩn (Scores of hilly girls disappear). *VnExpress Newspaper*, 3/12/2012.
- Pomfret, J. 2015. Special Report: How smuggled workers power 'Made in China'. *Reuters Newspaper*, 6/8/2015.
- Poston, D. L. J., Conde , E. & DeSalvo, B. 2011. China's unbalanced sex ratio at birth, millions of excess bachelors and societal implications. *Vulnerable Children and Youth Studies*, 6, 314-320.
- PPCLS 2011. The report on the combat against kidnapping and trafficking in women and children. The Provincial Party Committee of Lang Son,.
- PSDCB 2010. The report on the implementation of the Project II to prevent and suppress trafficking in women and children over the 2005-2009 period in Cao Bang. Cao Bang: The Public Security Department of Cao Bang-The Steering Board 130-138.
- PSDCB 2013. The report on the general investigation of human trafficking over the period 2005-2013 in Cao Bang. Cao Bang: The Public Security Department of Cao Bang-The Steering Board 130-138.
- PSDLC 2011. The report on implementing the anti-human trafficking programme in 2011. Lao Cai: The Public Security Department of Lao Cai.
- PSDLC 2013. The report on implementing the Project II combating human trafficking in 2013. Lao Cai: The Public Security Department of Lao Cai.
- PSDQN 2012. The Report on Trafficking in Women and Children to China over period between 2005-2011. Ha Long: Public Security Department of Quang Ninh.
- Public Security Department of Lao Cai 2009. Report on result of prevention and suppression against trafficking in women and children. Lao Cai.
- Public Security Ministry 2009. Opinions on fully implementing China's National Plan of Action on combatting trafficking in Women and Children (2008-2012).
- Public Security Ministry 2013. The Plan of Action against Human Trafficking over the Period 2011-2013: The Project II-Strengthening Effectiveness of Combating Human Trafficking.
- Purohit, B. 2011. Creating Clarity: Ethnic and Sexual Politics of United Kingdom's Human Trafficking Discourse.
- Quang Ha. 2014. Xóa đường dây đưa lao động trái phép sang Trung Quốc (A human-smuggling-to-China network uncovered). *VNexpress newspaper*, 24/3/2014.

- Quang Minh. 2013. Cảnh giác với thủ đoạn lừa bán phụ nữ, trẻ em qua biên giới (Be cautious of traffickers' tricks to sell women and children abroad). *Quang Ninh Newspaper*, 28/8/2013.
- Quang Tan. 2012. Lừa nữ sinh bán trinh 30 triệu đồng (A trafficked girl forced to sell virginity for 30 million Dong). *An Ninh Thu Do Newspaper*, 28/7/2012.
- Quoc Huy. 2012. Tùì nhục thiếu nữ lấy chồng ngoại để báo hiếu (Marrying a foreign husband to show filial piety). *Vietnamnet Newspaper*, 16/9/2012.
- Quoc Viet. 2012a. "Địa ngục" ở trần gian - Kỳ 1: Mua bán thân xác ("The hell" on the earth - Part 1: Flesh trading). *Tuoi Tre Newspaper*, 5/9/2012.
- Quoc Viet. 2012b. "Địa ngục" ở trần gian - Kỳ 4: Nước mắt đêm dài ("The hell" on the earth - Part 4: A long-night tears). *Tuoi Tre Newspaper*, 8/9/2012.
- Quoc Viet. 2012c. "Địa ngục" ở trần gian - Kỳ 5: Chân dung tú bà ("The hell" on the earth - Part 5: The portrait of the brothel owners). *Tuoi Tre Newspaper*, 9/9/2012.
- Quoc Viet. 2012d. "Địa ngục" ở trần gian - Kỳ 6: Những cuộc chiến tàn khốc ("The hell" on the earth - Part 6: Heinous battles). *Tuoi Tre Newspaper*, 10/9/2012.
- Quoc Viet. 2012e. "Địa ngục" ở trần gian - Kỳ cuối: Nước mắt đêm dài ("The hell" on the earth - Final part: Light at the end of the tunnel). *Tuoi Tre Newspaper*, 12/9/2012.
- Quoc Viet. 2015. Hành trình cứu người của một luật sư (A lawyer rescues trafficking victims). *Tuoi Tre, Newspaper*, 28/2/2015.
- Quynh Cao, T. N. & Wang, X. 2011. Sino-Vietnamese Trade Relations-with a focus on Cross-Border Trade.
- Quynh Hoa. 2013. Chống mua bán người, cần liên kết các đường dây nóng (The trafficking combat needs hotlines). *Van Hoa Newspaper*, 17/4/2013.
- Quynh Vinh-Viet Ha. 2015. Xuất cảnh lao động trái phép: Tiềm ẩn tạt mang (Illegal labour migration: Devastating consequences). *Cong an nhan dan Newspaper*, 5/10/2015.
- Rajbhandari, R. 2008. Human trafficking in South Asia: a focus on Nepal.
- Ray, N. 2005. Looking at trafficking through a new lens. *Cardozo JL & Gender*, 12, 909.
- Raymond, J. G. 2002. The new UN trafficking protocol. *Women's Studies International Forum*, 25, 491.

- Reventa, A., Fallavie, P., Larrison, J. & Nieves, C. 2006. Labour migration in the Greater Mekong Sub-region Synthesis Report: Phase I. *Institute for Population Studies and Research, Mahidol University*.
- Rushing, R. 2006. Migration and sexual exploitation in Vietnam. *Asian and Pacific migration journal*, 15, 471.
- Rushing, R., Watts, C. & Rushing, S. 2005. Living the Reality of Forced Sex Work: Perspectives From Young Migrant Women Sex Workers in Northern Vietnam. *Journal of Midwifery & Women's Health*, 50, e41-e44.
- Salt, J. 1997. Migration as a business: the case of trafficking. *International migration*, 35, 467-494.
- Saunders, P. 2005. Traffic Violations. *Journal of Interpersonal Violence*, 20, 343-360.
- SB 2009. The final report on five years of implementing the Program of Action on the Prevention and Suppression of Trafficking in Women and Children over the 2004-2009 period. Ha Noi: The Vietnamese Government: Steering Board 130/CP,.
- Schauer, E. J. & Wheaton, E. M. 2006. Sex trafficking into the United States: A literature review. *Criminal Justice Review*, 31, 146-169.
- Schloenhardt, A. 2001. Trafficking in migrants: Illegal migration and organized crime in Australia and the Asia Pacific region. *International Journal of the Sociology of Law*, 29, 48.
- Schmidt, C. 2004. The Analysis of Semi-structured Interviews. In: FLICK, U., KARDORFF, E. V. & STEINKE, I. (eds.) *A Companion to qualitative research*. London: SAGE.
- Schwartz, A. 2004. Sex trafficking in Cambodia. *Columbia Journal of Asian Law*, 17, 371.
- Scott, J. 2006. Content analysis. In: JUPP, V. (ed.) *The Sage Dictionary of Social Research Methods*. London: SAGE.
- Shamir, H. 2011. Trafficking in Workers: The Human Rights Paradigm to Trafficking in Persons and the Challenge of Labor Rights.
- Sharma, N. 2003. Travel agency: A critique of anti-trafficking campaigns. *Refuge: Canada's Journal on Refugees*, 21.
- Sharygin, E., Ebenstein, A. & Das Gupta, M. 2013. Implications of China's future bride shortage for the geographical distribution and social protection needs of never-married men. *Population Studies*, 67, 39-59.

- Shelley, L. 2007. Human trafficking as a form of transnational crime. In: LEE, M. (ed.) *Human trafficking*. Willan Publishing.
- Shelley, L. 2010. *Human Trafficking: A Global Perspective*, Cambridge University Press.
- Shen, A., Antonopoulos, G. A. & Papanicolaou, G. 2013. China's stolen children: Internal child trafficking in the People's Republic of China. *Trends in Organized Crime*, 16, 31-48.
- Skrivankova, K. 2006. Combating Trafficking in Human Beings. *International Review of Law Computers*, 20, 5.
- South, S. J. & Trent, K. 2010. Imbalanced Sex Ratios, Men's Sexual Behavior, and Risk of Sexually Transmitted Infection in China. *Journal of Health and Social Behavior*, 51, 376-390.
- Spencer, J. (ed.) 2011. *The illicit movement of people across borders: The UK as a destination country and the disorganisation of criminal activity*, Nijmegen: Wolf Legal.
- Spencer, J. & Broad, R. 2012. The 'Groundhog Day' of the Human Trafficking for Sexual Exploitation Debate: New Directions in Criminological Understanding. *European Journal on Criminal Policy and Research*, 18, 269-281.
- State Council of China 2007. China National Plan of Action on Combatting Trafficking in Women and Children (2008-2012).
- Steinfatt, T. M. 2011. Sex trafficking in Cambodia: fabricated numbers versus empirical evidence. *Crime, law and social change*, 56, 443-462.
- Sullivan, B. 2003. Trafficking in Women: Feminism and New International Law. *International Feminist Journal of Politics*, 5, 67-91.
- T.Hoa. 2013a. Bị chủ chứa nước ngoài bắt uống thuốc lắc để bán dâm (Victims were forced to use drugs to sell sex). *Cong An Nhan Dan Newspaper*, 6/3/2013.
- T.Hoa. 2013b. Những cách cần biết để giải thoát khỏi cạm bẫy buôn người (To escape from the human traffickers). *Cong An Nhan Dan Newspaper*, 14/7/2013.
- T.N. 2010. Thiếu nữ bị lừa sang Trung Quốc ép bán trinh (A young girl trafficked to China for selling virginity and prostitution). *Vietnamnet Newspaper*, 29/12/2010.
- T.Nhung-M.Nhat-T.Nguyen. 2013. Bắt 9 đối tượng lừa bán phụ nữ sang Trung Quốc (Nine traffickers get arrested for selling women to China). *Dan Tri Newspaper*, 15/7/2013.

- Tavcer, D. S. 2007. Trafficking in women for the sex industry in Moldova. In: EBBE, O. N. I. & DAS, D. K. (eds.) *GLOBAL TRAFFICKING IN WOMEN AND CHILDREN*.
- Thach Thao 2013. Lao Cai: A hotspot of human trafficking. *Counter-criminal Police Magazine*. Ha Noi: Ba Dinh Publisher.
- Thai Thuy. 2013. Giải cứu 2 thiếu nữ bị lừa bán sang Trung Quốc (Two young girls are rescued before being sold to China). *An Ninh Thu Do Newspaper*, 27/6/2013.
- Thanh Dung. 2015a. Once trafficked, now a trafficker: 2 women charged for selling 21 others to Chinese. *Thanh Nien News*, 18/5/2015.
- Thanh Dung. 2015b. Vietnam jails 2 for trafficking 21 women to China. *Thanh Nien news*, 1/9/2015.
- Thanh Hoang. 2014a. Hàng loạt cô gái trẻ sa vào “địa ngục trần gian” (kỳ 1) (Scores of young girls trapped into the "hell on the earth" (Part 1)). *Cong Ly Newspaper*, 8/8/2014.
- Thanh Hoang. 2014b. Hàng loạt cô gái trẻ sa vào “địa ngục trần gian” (kỳ 2) (Scores of young girls trapped into the "hell on the earth" (Part 2)). *Cong Ly Newspaper*, 25/8/2014.
- Thanh Huong. 2014. Hội thảo Chính sách kết hôn quốc tế và đa văn hóa năm 2014 (Conference 2014 about International Marriage Policy and Multiple Culture). *Can Tho's Women Union Newspaper*.
- Thanh Quang. 2014. Bóc gỡ đường dây lừa bán thiếu nữ sang Trung Quốc làm gái mại dâm (A Vietnam-to-China sex trafficking ring uncovered). *An Ninh Thu Do Newspaper*, 6/6/2014.
- Thanh Son. 2013. Yên Bái: Bắt bốn đối tượng mua bán người (Yen Bai: Four traffickers get arrested). *Nhan Dan Newspaper*, 3/7/2013.
- Thanh Van. 2014. Trafficking study urges governments to facilitate safe migration in Mekong Sub-Region. *Thanh Nien News*, 23/12/2014.
- The Economist Vietnam. 2015. Vietnam's migrant labourers: Going to debt mountain. *The Economist*, 14/2/2015.
- The Manh. 2014. Ngăn chặn thành công đường dây đưa người trốn ra nước ngoài (A human smuggling network cracked down). *VTV newspaper*, 30/11/2014.

- Thien Thanh. 2015. Cạm bẫy buôn người trên mạng và cuộc giải cứu cô dâu qua Facebook (Trafficking traps on the Internet and the rescue operation through Facebook). *Nhan Dan Newspaper*, 29/10/2015.
- Thong Thuy. 2013. Công an huyện Tân Uyên: Triệt phá nhanh đường dây mua bán người (Tan Uyen police: A trafficking ring uncovered). *Lai Chau Newspaper*, 10/12/2013.
- Thu Hang-Mai Ha. 2012. Nóng bỏng nạn buôn người - Kỳ 3: Nô lệ tình dục (The gravity of human trafficking - Part 3: Sexual slave). *Thanh Nien Newspaper*, 26/8/2012.
- Thuy Van. 2013. Bác lừa cháu ruột sang Trung Quốc bán trinh (A nephew trafficked to China to sell virginity). *Dat Viet Newspaper*, 24/9/2013.
- Tian, S. 2015a. China railway police bust int'l women trafficking rings. *Xinhuanet Newspaper*, 25/5/2015.
- Tian, S. 2015b. China returns 6 trafficked Vietnamese women. *Xinhuanet Newspaper*, 6/5/2015.
- TN News. 2010a. No money to support human trafficking victims. *Thanh Nien News*, 27/8/2010.
- TN News. 2010b. Sold but not forgotten. *Thanh Nien News*, 10/12/2010.
- TN News. 2011a. Funereal weddings. *Thanh Nien News*, 1/7/2011.
- TN News. 2011b. Re-sold into slavery. *Thanh Nien News*, 4/4/2011.
- TN News. 2011c. Vietnam deports Chinese nationals for brokering marriages. *Thanh Nien News*, 7/10/2011.
- TN News. 2012a. Two victims of human trafficking saved at HCMC airport. *Thanh Nien News*, 30/8/2012.
- TN News. 2012b. Unhappily ever after. *Thanh Nien News*, 6/6/2012.
- TN News. 2012c. Vietnam's disappearing girls. *Thanh Nien News*, 31/8/2012.
- TN News. 2012d. Vietnam saves 398 trafficking victims on China border since 2009. *Thanh Nien News*, 22/8/2012.
- TN News. 2012e. Vietnamese women suffer at hands of Chinese husbands, brothels. *Thanh Nien News*, 6/9/2012.

- TN News. 2013a. Trafficked Vietnam teen returns home after report on Chinese TV. *Thanh Nien News*, 19/7/2013.
- TN News. 2013b. Vietnamese workers finding misfortune abroad. *Thanh Nien News*, 31/8/2013.
- TN News. 2014a. 6 arrested, including 2 foreigners, for selling 147 Vietnamese women to S.Korea, China. *Thanh Nien news*, 26/10/2014.
- TN News. 2014b. Hanoi cops save 3 girls from Chinese brothels. *Thanh Nien News*, 17/6/2014.
- TNnews. 2013. 100,000 Vietnamese women marry foreigners each year. *Thanh Nien Newspaper*, 22/11/2013.
- Tran, T. 2014. "Nóng" tình trạng tổ chức cho người khác trốn đi nước ngoài trái phép (Alarming situation of organising persons to flee abroad illegally). *An Ninh Thu Do Newspaper*, 25/2/2014.
- Tran, T. M. T. (ed.) 2008. *Sexual behaviours among rural people* Hanoi: Social Sciences publishing house.
- Tran, T. Q., Nguyen, S. H., Vu, H. V. & Nguyen, V. Q. 2015. A note on poverty among ethnic minorities in the Northwest region of Vietnam. *Post-communist economies*, 27, 268-281.
- Tran Trieu. 2015. Môi giới kết hôn với người nước ngoài: hoạt động hợp pháp tự thua trên sân nhà? (International marriage brokerages: The failure of a legal service in home country?). *Bao Phu Nu Newspaper*, 18/7/2015.
- Tran, T. V. A. & Le, N. H. 2000. *Women and Doi moi in Vietnam*, Hanoi, Woman Publishing House.
- Trieu Son. 2013. "Nữ quái" Bùi Thị Nị sa lưới pháp luật (Trafficking suspect Bui Thi Ni gets arrested). *Bien Phong Newspaper*, 12/7/2013.
- Trinh Nguyen. 2013. Bắt quả tang 3 đối tượng lừa bán phụ nữ sang Trung Quốc *An Ninh Thu Do*, 23/12/2013.
- Trinh Tuyen. 2012. Thiếu nữ bị lừa bán làm "gái" kể tội "ma cô" (Trafficking victims retell their terrible trafficking experience at the trial). *An Ninh Thu Do*, 15/12/2012.
- Trinh, V. T. 2015. Human Trafficking in Vietnam: A Review of Patterns and Legal Framework. *International Journal of Humanities and Social Science Invention*, Volume 4 55-58.

- Trong Duc. 2015. Bắt gần 90 người trốn đi Trung Quốc lao động trái phép (Police stop nearly 90 illegal migration workers on the way to China). *Ngươi Lao Dong*, 8/3/2015.
- Trung Hieu. 2008. Ổ nhóm mua bán phụ nữ ra nước ngoài (A trafficking group uncovered). *An Ninh Thu Do Newspaper*, 13/10/2008.
- Trung Kien. 2009. Lại chuyện phụ nữ nông thôn mê lấy chồng "tây" (The stories of rural women marrying foreign husbands). *An Ninh Hai Phong Newspaper*, 1/12/2009.
- Trung Kien. 2013. Hỗ trợ phụ nữ lấy chồng nước ngoài tái hòa nhập cộng đồng (). *An Ninh Hai Phong Newspaper*, 12/8/2013.
- Tu Luong. 2011. Lấy chồng nước ngoài: Chuyển từ “4 không” sang “5 biết” (Marrying a foreign groom: Shifting from "Four Noes" to "Five Yeses"). *Bao Dien Tu Chinh Phu Viet Nam (Online Newspaper of The Government)*, 22/4/2011.
- Tuan Anh. 2012. "Cạm bẫy" tinh vi (Sophisticated traps). *Nhan Dan Cuoi Tuan Newspaper*, 11/3/2012.
- Tuan Anh. 2014. Lao động “chui” - Bài toán nan giải (Illegal labour : A serious problem). *Nhan Dan Newspaper*, 10/12/2014.
- Tuan Nam-Phu Son. 2014. Người dân cần đề cao cảnh giác (People need stay alert of human trafficking). *Quan Doi Nhan Dan Newspaper*, 22/3/2014.
- Tuan Son. 2013. Phía sau việc vượt biên trái phép đi lao động (Behind illegal labour migration). *Bac Kan Newspaper*, 6/5/2013.
- Tuoi Tre News. 2015. Korean marriage support project launched in Vietnam. *Tuoi Tre Newspaper*, 17/7/2015.
- Turner, J. & Kelly, L. 2009. Trade Secrets: Intersections between Diasporas and Crime Groups in the Constitution of the Human Trafficking Chain. *British Journal of Criminology*, 49, 184-201.
- Turner, S. 2010. Borderlands and border narratives: a longitudinal study of challenges and opportunities for local traders shaped by the Sino-Vietnamese border. *Journal of Global History*, 5, 265-287.
- Tyldum, G. 2010. Limitations in Research on Human Trafficking. *International Migration*, 48, 1.
- Tyldum, G. 2013. Dependence and Human Trafficking in the Context of Transnational Marriage. *International Migration*, 51, 103-115.

- Tyldum, G. & Brunovskis, A. 2005. Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking. *International Migration*, 43, 17-34.
- U.S. Department of State 2006. Trafficking in persons report 2006.
- U.S. Department of State 2004. Trafficking in Persons Report 2004.
- U.S. Department of State 2012. Trafficking in Persons Report 2012.
- UNDP 2014. Human Development Report: Statistical Tables 2014.
- UNIAP. 2004. *COMMIT: The Coordinated Mekong Ministerial Initiative Against Trafficking* [Online]. Available: <http://www.no-trafficking.org/commit.html> [Accessed 11/12/2013 2013].
- UNIAP 2011. Human Trafficking Sentinel Surveillance Vietnam-China border 2010 Lang Son I Lao Cai I Quang Ninh.
- UNIAP. 2012a. *The Human Trafficking Situation in Vietnam* [Online]. Bangkok: UNIAP Vietnam. Available: http://www.no-trafficking.org/vietnam_who.html [Accessed 09/12/2012 2012].
- UNIAP. 2015. *The Trafficking & Migration Situation in Vietnam* [Online]. Available: <http://www.no-trafficking.org/vietnam.html> [Accessed 15/4/2015].
- UNIAP, U. N. I.-A. P. o. H. T. 2012b. Human Trafficking 101.
- United Nations 2000. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially in Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime (Palermo Protocol). UN New York, 2004: United Nations Office on Drugs and Crime.
- United Nations Economic and Social Commission for Asia and the Pacific 2003. *Combating Human Trafficking in Asia: A Resource Guide to International and Regional Legal Instruments, Political Commitments and Recommended Practices*, UN.
- UNODC 2008a. Human Trafficking: An Overview. New York: United Nations Office on Drugs and Crime - United Nations Global Initiative to Fight Human Trafficking.
- UNODC 2008b. Human Trafficking: An Overview. *Wien: UNODC*.
- UNODC 2009. *Combating Trafficking in Persons: A Handbook for Parliamentarians*, United Nations Office on Drugs and Crime - Inter-parliamentary Union

- US State Department 2000. Victims of Trafficking and Violence Protection Act of 2000.
- Van Bac 2012. The tears of girls in borderland. *Counter-criminal Police Magazine*. Ha Noi: Ba Dinh Publisher.
- Van Impe, K. 2000. People for Sale: The Need for a Multidisciplinary Approach towards Human Trafficking. *International Migration*, 38, 113-191.
- Van Liemt, G. 2004. Human trafficking in Europe: An economic perspective. *International Labour Office Working paper No. 31. Geneva, Switzerland: International Labour Organization*.
- Van Vinh. 2014. Bài cuối: Lối thoát nào cho “cô dâu Việt” (The way-out for Vietnamese brides). *Cong An Nhan Dan Newspaper*, 19/8/2014.
- Vandenberg, M. 2002. Complicity, Corruption, and Human Rights: Trafficking in Human Beings. *Case W. Res. J. Int'l L.*, 34, 323.
- Verhoeven, M. & van Gestel, B. 2011. Human trafficking and criminal investigation strategies in the Amsterdam Red Light District. *Trends in Organized Crime*, 14, 148-164.
- VGSB 2009. The final report on five years of implementing the Program of Action on preventing and combatting trafficking in women and children over the 2004-2009 period. Ha Noi: The Vietnamese Government: Steering Board 130/CP,.
- Vien Su-Dong Phuong. 2013. Vỡ mộng làm dâu Trung Quốc (The broken dream of marrying Chinese husbands). *Tuoi Tre Newspaper*, 30/12/2013.
- Viet Cuong. 2012. Vạch trần những đường dây của quỷ (Rings of demons uncovered). *An Ninh Thu Do Newspaper*, 15/4/2012.
- Viet Lam-Hoa Sim. 2013. Chặt đứt đường dây lừa bán phụ nữ, trẻ em qua biên giới (A ring of trafficking of women and children gets busted). *Bien Phong Newspaper*, 19/6/2013.
- Viet Lam-Trong Hoang. 2013. Phòng, chống buôn bán người qua biên giới: Cần sự quyết liệt của các ngành, các cấp (The fight against transnational human trafficking: A need for the resolute coordination of multi-agencies). *Bien Phong Newspaper*, 24/7/2013.
- Vietnamese Government 2009. Agreement on Land Border Gates and Regulations on Land Border Gate Management over the Sino-Vietnamese Land Border. In: AFFAIRS, M. O. F. (ed.).

- Vietnamese Government 2001. Agreement between Vietnam and China on Cooperation in Preventing and Combatting Crimes and Maintaining Social Order and Safety.
- Vietnamese Government 2004. The National Programme of Action on the Prevention and Suppression of Trafficking in Women and Children during the period 2004-2010. Hanoi: Prime Minister.
- Vietnamese Government 2010. The Agreement on strengthening collaboration in preventing and combatting trafficking in persons. Hanoi: Ministry of foreign affairs.
- Vietnamese President 2011. Decision No. 2549 and 2550/2011/QĐ-CTN on Joining the UN Convention Against Transnational Organised Crime and the UN Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children. Ha Noi.
- Vietnamese Prime Minister 1997. Directive No 776/TTg assigning responsibility for Taking Measures to Stop Illicitly Sending Women and Children abroad. Ha Noi: The Vietnamese Government.
- Vietnamese Prime Minister 2004. Decision No.130/2004/QĐ-TTg on Approval of the National Programme of Action on Prevention and Suppression against Trafficking in Women and Children over the period 2004-2010. Ha Noi: The Vietnamese Government.
- Vietnamese Prime Minister 2011. Decision No.1427/2011/QĐ-TTg on Approval of the National Programme of Action on the Prevention and Suppression of Human Trafficking over the 2011-2015 period. Ha Noi: Vietnamese Government.
- Vietnamese Prime Minister 2012. Decree No. 62/2012/NĐ-CP on Grounds to Identify Trafficked Victims, and Measures to Protect Them and Their Family Members. Ha Noi.
- Vietnamese Prime Minister 2013. Decision No. 605/QĐ-TTg on Approval of the Implementation Plan of the UNTOC and UN Trafficking Protocol. Vietnamese government.
- VietNamNet Bridge. 2014. Human trafficking problem in Nghe An. *Vietnamnet*, 2/3/2014.
- Vietnamnews. 2015. Ethnic labourers flock to China, Laos. *Viet Nam News*, 28/8/2015.
- Vijayarasa, R. 2010. The State, the family and language of 'social evils': re-stigmatising victims of trafficking in Vietnam. *Culture, health & sexuality*, 12, S89-S102.

- Vijayarasa, R. 2013. Stigma, stereotypes and Brazilian soap operas: road-blocks to ending human trafficking in Vietnam, Ghana and Ukraine. *Gender, Place & Culture*, 20, 1015-1032.
- Voelkner, N. 2014. Affective Economies in the Governance of Trafficking and Sex Work in Vietnam. *Global Society*, 28, 375-390.
- Vu Hong Minh. 2014. Ngăn chặn tình trạng xuất cảnh lao động trái phép (To prevent illegal labour migration to China). *Nhan dan Newspaper*, 5/5/2014.
- Vu, N. B. 2006. Trafficking of Women and Children in Vietnam: Current Issues and Problems. In: BEEKS, K. & AMIR, D. (eds.) *Trafficking And the Global Sex Industry*. Oxford: Lexington Books.
- Vu, Q. V. 2012. The fight against human trafficking in the province of Bac Giang. *People's Public Security Magazine*. Ha Noi: Ba Dinh.
- Vu The 2007. Fake trafficking victims in Lao Cai: A crime needs to be dealt with. *Social Security Magazine*. Ha Noi: Ba Dinh Publisher.
- Vu, T. T. & Agergaard, J. 2012. DOING FAMILY: Female migrants and family transition in rural Vietnam. *Asian Population Studies*, 8, 103-119.
- Wang, H. Z. & Chang, S. M. 2002. The commodification of international marriages: Cross-border marriage business in Taiwan and Vietnam. *INTERNATIONAL MIGRATION*, 40, 93-116.
- Wang, R. & Pan, Q. 2013. Xinhua Insight: Vietnam-China human trafficking a growing malady. *Xinhuanet Newspaper*, 19/11/2013.
- Wang, Y. 2005. Trafficking in women and children from vietnam to china legal framework and government responses. *Anti-human Trafficking Program in Vietnam*. Oxfam Quebec.
- Wang, Z. 2014. China's "labour shortage" and migrant workers' lack of social security. *International Labour Review*, 153, 649-658.
- Weitzer, R. 2014. New Directions in Research on Human Trafficking. *Annals of the American Academy of Political and Social Science*, 653, 6-24.
- Wheaton, E. M., Schauer, E. J. & Galli, T. V. 2010. Economics of human trafficking. *International Migration*, 48, 114-141.
- Williams, L. 2010. *Global marriage: cross-border marriage migration in global context*, Palgrave Macmillan, 2010.

- Womack, B. 1994. Sino-Vietnamese border trade: the edge of normalization. *Asian Survey*, 495-512.
- Womack, B. 2010. China and Vietnam: Managing an Asymmetric Relationship in an Era of Economic Uncertainty. *Asian Politics & Policy*, 2, 583-600.
- Wooditch, A. 2012. Human trafficking law and social structures. *International Journal of Offender Therapy and Comparative Criminology*, 56, 673-690.
- Wuiling, C. 2006. Assessing criminal justice and human rights models in the fight against sex trafficking: A case study of the ASEAN region. *Essex Human Rights Review*, 3, 46-63.
- X.Mai-T.Thuan. 2013. Cô gái mưu trí thoát khỏi bẫy của kẻ buôn người (A girl escapes from the trafficker). *Cong An Nhan Dan Newspaper*, p.9/8/2013.
- Xiaosong, G. & Womack, B. 2000. Border Cooperation between China and Vietnam in the 1990s. *Asian Survey*, 1042-1058.
- Xinhua. 2010. Illegal immigration from Vietnam surges in S China. *Chinadaily*, 11/4/2010.
- Xuan Hoa. 2015. Ai bảo vệ dân khi họ đã "tan cửa nát nhà" vì bị lừa đi lao động xuất khẩu? (Who protects illegal migrants when they had been lured into the trap). *Giao Duc Vietnam Newspaper*, 26/01/2015.
- Xuan Ly-Dinh Vu. 2013. Báo động tình trạng tổ chức vượt biên trái phép (Alarming situation of organising illegal border crossings). *Ha Tinh Newspaper*, 10/8/2013.
- Xuan Mai. 2011. Bắt kẻ cầm đầu đường dây mua bán người qua biên giới (Transnational trafficking ringleader gets arrested). *Bao Moi Newspaper*, 6/4/2011.
- Xuan Mai. 2012a. Bóc gỡ đường dây mua bán người do hai gã "pêđê" điều hành (A trafficking ring busted). *Cong An Nhan Dan Newspaper*, 31/10/2012.
- Xuan Mai. 2012b. Cảnh sát hình sự và những cuộc đoàn tụ được chấp nối (Criminal police and their operations of trafficking victims). *Dan Tri Newspaper*, 20/8/2012.
- Xuan Mai. 2015. Vượt biên sang Trung Quốc lao động 'chui' - Phạm pháp và những hệ lụy (Crossing the Vietnam-China border illegally for jobs - Its illegality and consequence). *Cong An Nhan Dan newspaper*, 11/3/2015.
- Yang, D. T., Chen, V. W. & Monarch, R. 2010. Rising wages: Has China lost its global labor advantage? *Pacific Economic Review*, 15, 482-504.

- Yen Nhi. 2010. Vờ tán tỉnh để buôn người qua biên giới (Pretend to fall in love to traffic the victims). *An Ninh Thu Do Newspaper*, 27/12/2010.
- Yen Oanh. 2011. Lật mặt những kẻ mua, bán người (To identify traffickers). *Nhan Dan Newspaper*, 25/4/2011.
- Yik-Yi Chu, C. 2011. Human Trafficking and Smuggling in China. *Journal of Contemporary China*, 20, 39-52.
- Zhang, H. X., Kelly, P. M., Locke, C., Winkels, A. & Adger, W. N. 2006. Migration in a transitional economy: Beyond the planned and spontaneous dichotomy in Vietnam. *Geoforum*, 37, 1066-1081.
- Zhang, J. 2012. A trafficking 'not-spot' in a China-Vietnam border town. In: VAN SCHENDEL, W., LYONS, L. & FORD, M. (eds.) *Labour Migration and Human Trafficking in Southeast Asia: Critical Perspectives*. 1 ed. London: Taylor & Francis.
- Zhang, S. & Chin, K. L. 2002. Enter the dragon: Inside Chinese human smuggling organizations. *Criminology*, 40, 737-768.
- Zhang, X., Yang, J. & Wang, S. 2011. China has reached the Lewis turning point. *China Economic Review*, 22, 542-554.
- Zhang, Y. 2011. Cross-border human trafficking cases rising. <http://www.chinadaily.com.cn/>.
- Zhang, Y. 2014. Police seek 100 missing brides from Vietnam. *China Daily Newspaper*, 11/12/2014.
- Zhao, F. & Lockett, H. 2014. Wedlock goes south. *China Economic Review*, 12/12/2014.
- Zhao, G. M. 2003. Trafficking of women for marriage in China: Policy and practice. *Criminal Justice: The International Journal of Policy and Practice*, 3, 83-102.
- Zheng, C. & Zhang, Y. 2011. Police bust huge human trafficking rings. <http://www.chinadaily.com.cn/>.
- Zheng, W., Zhou, X., Zhou, C., Liu, W., Li, L. & Hesketh, T. 2011. Detraditionalisation and attitudes to sex outside marriage in China. *Culture, health & sexuality*, 13, 497-511.
- Zhou, J. 2006. Chinese Prostitution: Consequences and Solutions in the Post-Mao Era. *China: An International Journal*, 4, 238-262.

Zimmerman, C., Yun, K., Shvab, I., Watts, C. & Trappolin, L. 2003. The health risks and consequences of trafficking in women and adolescents: findings from a European study. Including: human rights analysis of health and trafficking and principles for promoting the health rights of trafficked women.